



COMMONWEALTH OF MASSACHUSETTS
EXECUTIVE OFFICE OF ENERGY & ENVIRONMENTAL AFFAIRS
DEPARTMENT OF ENVIRONMENTAL PROTECTION
ONE WINTER STREET, BOSTON, MA 02108 617-292-5500

DEVAL L. PATRICK
Governor

TIMOTHY P. MURRAY
Lieutenant Governor

IAN A. BOWLES
Secretary

LAURIE BURT
Commissioner

BUREAU OF WASTE PREVENTION BUSINESS COMPLIANCE DIVISION

BACKGROUND DOCUMENT FOR PROPOSED REVISIONS TO 310 CMR 7.24(6) DISPENSING OF MOTOR VEHICLE FUEL (THE STAGE II VAPOR RECOVERY PROGRAM)

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1.0 BACKGROUND

MassDEP adopted the Stage II vapor recovery program (310 CMR 7.24 (6) Dispensing of Motor Vehicle Fuel) in November 1989. The program is one response to Massachusetts' ambient air quality, which does not meet the Federal Clean Air Act's eight-hour ozone National Ambient Air Quality Standard (NAAQS). USEPA approved the Stage II program for inclusion in the Massachusetts ozone State Implementation Plan (SIP). The program helps attain and maintain compliance with the ozone NAAQS (Federal Register, Vol. 58, pg. 48315. 9/15/93) and is federally enforceable.

In 2000, the Department amended the Stage II regulations to require weekly visual inspection of Stage II systems, annual compliance testing and facility compliance certification, as well as measures designed to streamline program implementation and compliance.

Since 2000, as the Department and Stage II regulated community started to implement and comply with the requirements of the revised Stage II program, certain sections of the regulations have been found to be unclear or at odds with efficient and effective facility compliance. The proposed Stage II amendments contained in these amendments seek to address those issues as well as a number of housekeeping measures to update applicable program requirements.

2.0 INTRODUCTION

The Stage II program prevents uncontrolled evaporative emissions of volatile organic compounds (VOCs) to the atmosphere during the dispensing of gasoline to motor vehicles and is applicable to 3200+/- motor vehicle fuel dispensing facilities statewide. The Stage II program is the Commonwealth's second largest means to reduce VOCs, after the Enhanced Vehicle Inspection and Maintenance program, for motor vehicles. In addition to VOC reductions, the Stage II program also dramatically reduces public exposure to human carcinogens such as benzene, 1,3 butadiene and formaldehyde that are found in the evaporative emissions from gasoline.

3.0 PROPOSED REVISIONS (Attachment I)

3.1 New Stage II System Requirements

1. The Department proposes to require that Pressure Vacuum Vent (PV) Caps be installed on Balance systems (see proposed 310 CMR 7.24(6)(a) 7.) in order to optimize the vapor control efficiency of Balance systems and ensure a level playing field between all Balance system owner/operators.

3.2 Revised Program Implementation Language

1. The Department proposes new definitions for the terms *minor modification*, *routine maintenance*, and *substantial modification*, thereby clarifying what Stage II system changes and repairs fall within each of these terms (310 CMR 7.00 Definitions).

Associated with the proposed new definitions are applicable compliance testing and recordkeeping requirements for routine maintenance and minor modifications (310 CMR 7.24(6)(c) 1.).

This background document also contains a guidance table identifying Stage II system Minor Modifications and applicable compliance tests. As guidance, this table is not part of the proposed rulemaking, but the Department welcomes comments on this guidance. (Attachment II).

2. There has been confusion within the Stage II regulated community concerning what actions facility owner/operators are required to take in response to incorrectly installed, non-functioning or broken equipment. The Department is proposing new language (310 CMR 7.24(6)(b) 1.d. - f. and 310 CMR 7.24(6)(c) 6. - 8.) to clarify program requirements and ensure timely repair of Stage II systems.

3.3 Revised Stage II Certification/Notification Requirements

1. Department review of Stage II compliance testing and certification results determined that the Stage II compliance benefit attributed to the 120-Day In-Use Compliance Testing and Certification requirement for Vacuum Assist systems is satisfied by the weekly Stage II system visual inspections and annual compliance testing. As a result, the Department proposes to eliminate the 120-Day In-Use Compliance testing and Certification requirement, saving subject facilities \$500-700 in compliance testing and certification costs.

2. Under the current Stage II regulation, a facility where a new or substantially modified Stage II system is installed cannot commence operation until the facility owner/operator submits to DEP a fully completed Installation/Substantial Modification Certification (Form A). As a result, a fully operational Stage II facility is prevented from opening for business until the Form A has been completed and submitted to DEP.

The proposed revision allows a facility to commence operation immediately upon passing applicable tests and requires a fully completed Form A to be submitted to the Department within 7 days of passing the applicable tests (310 CMR 7.24(6)(c) 2.).

3. Under the current Stage II regulation, only one Responsible Official is allowed to sign Stage II documents regardless of whether a facility is owned by one person or company and operated by another. The proposed revision allows two Responsible Officials to sign compliance certifications in instances where a Stage II facility is owned by one person or company and operated by another (310 CMR 7.24(6)(f) 2.).

4. Under the current Stage II regulation, submittal of a Change of Owner/Operator Notification (Form E) is the responsibility of new facility owner/operators (310 CMR 7.24(6)(e) 1.).

In practice, new facility owner/operators are often unaware of the notification requirement, and as a result, fail to submit the required Form E. In such circumstances, changes in facility owner/operators typically come to the Department's attention only after the Department has issued enforcement against former owners for failing to submit a required Annual Certification.

The proposed revision seeks to avoid such unnecessary enforcement by requiring current facility owner/operators (sellers) to notify the Department by letter within 30 days of the effective date of the owner/operator change (310 CMR 7.24(6)(e) 2.).

5. Under the current Stage II regulation, there is no provision for "temporarily" taking a Stage II facility out of use. An example of such an instance is a facility that is

temporarily closed between leases. In such an instance, annual compliance testing may not be able to be performed and it is inappropriate to remove the fuel dispensers or the fuel storage tanks.

The proposed revision will address this issue by allowing a Stage II facility to be “temporarily” taken out of use, upon submittal of a Facility Closure Notification (Form F) and a fully completed FP 290 Form, signed by the local Fire Prevention Officer (310 CMR 7.24(6)(e) 2.).

3.4 Revised Stage II Recordkeeping Requirements

1. Under the current Stage II regulation, facilities are required to maintain three sets of compliance logs to track: weekly Stage II system inspections and maintenance; compliance testing; and, training of persons performing required weekly inspections.

To simplify on-site recordkeeping, the Department is proposing to eliminate the need to maintain the weekly inspection and maintenance log and the compliance testing log (an inspector training log will continue to be required). In their place, the Department is proposing to require the following on-site recordkeeping for the prior rolling twelve-month period: all weekly visual inspection forms; compliance testing company test results; and the facility’s current Annual In-use Compliance Certification (310 CMR 7.24(6)(b) 3.). In addition, the Department is proposing to allow the use of electronic record keeping provided a hard copy of all records can be immediately printed on-site (310 CMR 7.24(6)(b) 3.).

2. To help ensure the repair of incorrectly installed, non-functioning or broken Stage II system components, the Department is proposing to revise the weekly inspection checklist requirements to include actions taken to repair such components identified as a result of a weekly visual inspection (310 CMR 7.24(6)(b) 3.a. iii).

3.5 Regulatory Streamlining/Housekeeping/Updates

1. Under the current Stage II regulation, all compliance testing requirements are referenced in each applicable certification and testing section. As a result, the current Stage II regulations are longer than necessary and repetitive.

To simplify the regulations, the Department is proposing to consolidate all testing references into a single new section (310 CMR 7.24(6)(d)) and then cite the specific testing references in the applicable Compliance Testing and Certification sections (310 CMR 7.24(6)(c) 2.b., 3.b. iii. and 4. a. ii.).

No changes to applicable compliance testing requirements will occur as a result of these proposed changes.

2. Propose exemption for Motor Vehicle Salvage Yards (310 CMR 7.24(6)(a) 6.b.). Under the current Stage II regulation, any person dispensing motor vehicle fuel is subject to the program’s requirements unless otherwise determined to be exempt. The Department, in the course of performing its compliance assurance activities, learned that motor vehicle salvage yards often dispense recovered motor vehicle fuel, collected as part of their regular operations, to on-site and employee vehicles.

Upon review, the Department is proposing to exempt Motor Vehicle Salvage Yard operations from the requirements of 310 CMR 7.24(6) if the Yard collects the motor vehicle fuel as part of its regular operations. In addition, the recovered fuel must be stored in a stationary motor vehicle fuel storage tank of 1000 gallons capacity or less that is properly equipped with submerged fill pipes and a P/V vent cap.

By proposing this exemption, the Department believes the recovered motor vehicle fuel will be properly managed and reused, with adequate protection of public health and the environment.

3. The Department proposes to substitute “as required by” for “in accordance with” throughout the regulation to more clearly indicate “requirements”.

4. Under the current Stage II regulation, there is no language referencing the installation of CARB approved aboveground storage tanks. The Department is proposing a new section to the Stage II regulation to allow the installation of CARB Approved Aboveground Storage Tanks (310 CMR 7.24(6)(j)).

5. Under the current Stage II regulation, there is no language referencing CARB Stage II Approval Letters. These letters are clarifications and guidance documents applicable to previously approved CARB Stage II System Executive Orders. The Department is proposing to expressly reference CARB Stage II Approval Letters in Section 310 CMR 7.24(6)(a).

6. Periodically, CARB adopts revised Executive Orders for previously approved Stage II Systems. The Department is proposing to update the current list of CARB approved Stage II systems to incorporate recently revised CARB Executive Orders (310 CMR 7.24(6)(i)).

3.6 New Testing Company Requirements

1. In the course of discussions with Stage II compliance testing companies, it came to the Department’s attention that there are instances where a Stage II system will fail one or more compliance certification test(s) at a facility and the compliance testing company will not be called back to re-test the facility. This could be an indicator that the facility owner/operator may be seeking to avoid necessary system repairs.

In response to this concern, the Department is proposing to require (310 CMR 7.24(6)(g) 5.) that compliance testing companies notify the Department of the name, address and Stage II facility account number of any facility where:

- (a) the compliance testing company performed in-use compliance tests and the Stage II system failed one or more of said tests; and
- (b) the testing company did not return to retest the Stage II system within 30 days of the system’s first passing test result or before the facility’s annual in-Use Compliance Certification submittal due date, which ever comes first.

2. The Department is proposing to revise the compliance testing company certification to require identification of any incorrectly installed, non-functioning or broken Stage II components that are isolated from the remainder of the Stage II system (310 CMR 7.24(6)(g) 8.c. and d.).

3. The Department is proposing to revise compliance testing company requirements to allow multiple persons to be identified as a Compliance Testing Company Responsible Official for purposes of signing Compliance Testing Company Certifications (310 CMR 7.24(6)(g) 1.a. xi.).

4. In order to clarify currently applicable compliance tests, the Department is proposing to revise test procedure references for the following test procedures:

- (a) 10-Inch Pressure Decay Test (310 CMR 7.24(6)(g) 6.a.)
- (b) Vapor Tie Test (310 CMR 7.24(6)(g) 6.b.)
- (c) P/V Vent Cap Test (310 CMR 7.24(6)(g) 6.c.)
- (d) Healy Systems (310 CMR 7.24(6)(g) 6.f.)

3.7 Revised Stage II Certification and Notification Forms

In Attachment III, the Department has revised all the Stage II Certifications (Forms A, C, D1 and D2) and Notifications (Form E and F). These new forms are not program requirements subject to a public hearing, but are referenced here as important elements of the Department's effort to improve program compliance by more closely tracking Stage II system maintenance and recordkeeping requirements. To ensure their effectiveness, the Department welcomes public comment on the clarity and format of these forms.

4.0 EMISSIONS AND AIR QUALITY IMPACTS

The proposed revisions to the Stage II regulations are primarily administrative in nature. They clarify certain program implementation requirements and further streamline implementation and compliance. No additional air quality benefits are attributed to this proposed rulemaking.

5.0 ECONOMIC IMPACTS

The majority of the proposed revisions to the Stage II regulations contained in the amendment package are administrative in nature. There are, however, three proposed revisions that will affect facility compliance costs.

5.1 Proposed new definitions for Minor Modification, Routine Maintenance, and Substantial Modification and associated compliance testing, record keeping, and certification submittal requirements.

Under the current regulations, the definition of Substantial Modification means "the installation, repair, replacement or reconditioning of a motor vehicle fuel distribution system or the repair or replacement of a Stage II vapor collection and control system or part thereof, excluding routine maintenance..." A simple reading of this definition is broad enough to encompass virtually any maintenance or repair work done on a Stage II system and thereby triggering applicable compliance testing and certification requirements. In addition, under the current regulations, there is no definition for "routine maintenance."

This rulemaking proposes new definitions for "minor modification," "routine maintenance" and "substantial modification" in order to clarify that compliance testing

necessary to ensure system repairs and maintenance are correctly performed. In addition, this rulemaking proposes revised certification, compliance testing and record keeping requirements that are appropriate for each of these situations.

The Department believes the proposed definitions and related requirements clarify applicable compliance testing requirements for Stage II repairs, thereby reducing unnecessary compliance testing and associated costs while improving overall program compliance.

5.2 Proposed Elimination of Vacuum Assist 120-Day In-Use Compliance Certification.

Department review of Stage II compliance testing and certification results determined that the facility compliance benefit attributed to the 120-Day In-Use Compliance Testing and Certification requirement is satisfied by the weekly Stage II system visual inspections and annual compliance testing.

As a result, the Department proposes to eliminate the Vacuum Assist 120-Day In-Use Compliance testing and Certification requirement. By doing so, subject facilities will avoid a \$500-\$700 compliance testing and certification expense.

The proposed new definitions and related requirements will achieve two important goals:

- Reduced compliance testing costs for the Stage II regulated community; and
- Improved facility compliance and program effectiveness as a result of targeting compliance testing only to that necessary to ensure correct component repair and operation.

5.3 Proposed Installation of Pressure Vacuum Vent (PV) Caps on Balance systems.

In 2005, the Department surveyed Stage II compliance testing companies on two issues: the percentage of Balance systems equipped with PV caps and the cost to perform annual PV cap compliance testing. From that survey, the Department determined approximately 70+% of the nearly 1300 Balance systems installed in Massachusetts are already equipped with PV caps.

To optimize the vapor control efficiency of Balance systems and ensure a level playing field between all Balance system owner/operators, the Department proposes that all Balance systems be equipped with PV Vent caps.

The cost to install a PV cap, including labor, is approximately \$85 per cap. Of the testing companies surveyed, the cost of annual compliance testing of PV caps ranged from no additional cost to \$125. The average cost of annual compliance testing is approximately \$50.

The typical Balance equipped Stage II facility in Massachusetts has three fuel storage tanks and dispenses approximately 500,000 gallons annually. Over five years, the cost to such a facility for complying with the proposed requirement to install PV caps is approximately \$100 annually, or \$0.0002/per gallon.

6.0 OTHER PROGRAM IMPACTS

6.1 Massachusetts Environmental Policy Act (MEPA)

Pursuant to 301 CMR 11.00 (Massachusetts Environmental Policy Act Regulations), the amendments, as proposed, will not lessen the stringency of existing regulations, the purpose of which is to protect public health and the environment, and therefore no Environmental Notification Form (ENF) is required.

6.2 Impacts on Cities and Towns

Motor vehicle fuel dispensing facilities owned by municipalities are subject to the proposed amendments to 310 CMR 7.24(6). There are no new requirements contained in this proposed rulemaking unique to municipalities.

6.3 Agricultural Impacts

Pursuant to the intent of Massachusetts General Laws, Chapter 30A, Section 18, state agencies should evaluate the impact of proposed programs on agriculture within the Commonwealth.

The Stage II program regulations currently exempt stationary motor vehicle fuel storage tanks of 550 gallons capacity or less and are used exclusively for the fueling of implements of husbandry (e.g., farming). No change to this exemption is proposed.

6.4 Source Reduction

The Department proposes to facilitate recovery of unused fuel instead of disposal. The proposal will exempt Motor Vehicle Salvage Yard operations from the requirements of 310 CMR 7.24(6) if the facility collects the motor vehicle fuel as part of its regular operations. The recovered fuel must be stored in a stationary motor vehicle fuel storage tank of 1000 gallons capacity or less that is properly equipped with submerged fill pipes and a P/V vent cap.

By proposing this exemption, the Department believes the storage of such motor vehicle fuel will be properly managed and reused, thereby protecting public health and the environment, and reducing unnecessary fuel disposal.

6.5 Public Participation

As required by state law, the Department gives notice and provides the opportunity to review background and technical information at least 21 days prior to proposing the regulation amendments at a public hearing. To satisfy the requirements of 40 CFR 51.102, DEP will provide at least 30 days for public comment. DEP will hold public hearings in Boston, Massachusetts and in Springfield, Massachusetts.

Attachment I
Proposed Amendments

310 CMR 7.00 Definitions

Isolate shall mean, for the purposes of 310 CMR 7.24(6), to take out of service of one or more components of a Stage II system so that the remainder of the Stage II system operates as required by the terms and conditions of the system's currently applicable Executive Order.

Minor Modification shall mean, for the purposes of 310 CMR 7.24(6), the re-installation, repair or replacement of one or more Stage II System components that is not substantial, including, but not limited to: less than 50% of the motor vehicle fuel dispensers (e.g., 1 of 4 dispensers); a central vacuum unit of a Healy 400 ORVR nozzle system or Healy 600 nozzle system; ball float extractor valve housings; dispenser mounted vapor pumps; or "screw-on" spill or dry break buckets. If the re-installation, repair or replacement of Stage II System components occurs at a motor vehicle fuel dispensing facility with two or less dispensers, the re-installation, repair or replacement of only one of the motor vehicle fuel dispensers shall be a Minor Modification.

Routine Maintenance shall mean, for the purposes of 310 CMR 7.24(6), the regular re-installation, repair or replacement of one or more Stage II System components including, but not limited to: hoses; nozzles; breakaways; swivels; hose retractors; bucket plow rings; "slip-on" spill or dry break buckets; "O" rings and seals; submersible pumps or suction pipes; fill adaptors; fill tubes; vapor adaptors; fill and vapor caps; drain valves; monitor caps; or riser caps.

Substantial Modification~~as used in 310 CMR 7.24(6), means the installation, repair, replacement or reconditioning of a motor vehicle fuel distribution system or the repair or replacement of a Stage II vapor collection and control system or part thereof, excluding routine maintenance in accordance with the terms and conditions of the Stage II system's currently applicable Executive Order.~~ shall mean, for the purposes of 310 CMR 7.24(6), the re-installation, repair or replacement of one or more Stage II System components including, but not limited to: 50% or more of the motor vehicle fuel dispensers (e.g., 2 of 4 dispensers); the replacement of one type of Stage II system with another type (e.g., replacement of a balance system with a vacuum assist system, or a Healy 400 ORVR nozzle system or Healy 600 nozzle system with a Healy VP-1000 system); or the re-installation, repair or replacement of Stage II System components requiring excavation below a shear valve or tank pad (e.g., vapor return piping, vent piping, vapor space tie bar, two-point or coaxial Stage I systems; or motor vehicle fuel storage tanks). If the re-installation, repair or replacement of one or more Stage II System components occurs at a motor vehicle fuel dispensing facility with two or fewer dispensers, the re-installation, repair or replacement of all motor vehicle fuel dispensers shall be a Substantial Modification.

310 CMR 7.24(6) U DISPENSING OF MOTOR VEHICLE FUEL.

(a) Applicability and Installation Requirements

1. Any person who owns, leases, operates or controls a motor vehicle fuel dispensing facility constructed or substantially modified after November 1, 1989 shall install, prior to commencing operation, a Stage II system ~~in accordance with~~ as required by the terms and conditions of the system's currently applicable Executive Order and any Approval Letters issued by CARB on or before (THE EFFECTIVE DATE OF THESE AMENDMENTS) pursuant thereto.

2. Any person who owns, leases, operates or controls a motor vehicle fuel dispensing facility constructed before November 1, 1989, that has not been substantially modified since November 1, 1989 shall install a Stage II system ~~in accordance with~~ as required by the terms and conditions of the system's currently applicable Executive Order, ~~in accordance with~~ and as required by the following schedule:

- a. by April 1, 1991 where the annual (calendar year) throughput of the motor vehicle fuel dispensing facility is greater than or equal to 1,000,000 gallons of motor vehicle fuel; or
- b. by April 1, 1992 where the annual (calendar year) throughput of the motor vehicle fuel dispensing facility is less than 1,000,000 gallons but greater than or equal to 500,000 gallons of motor vehicle fuel; or
- c. by April 1, 1993 where the annual (calendar year) throughput of the motor vehicle fuel dispensing facility is less than 500,000 gallons per year but is greater than or equal to 20,000 gallons in any one calendar month; or
- d. by April 1, 1994, or 90 days after dispensing 10,000 gallons or more in any calendar month, whichever is later, for all other motor vehicle fuel dispensing facilities.

3. Any person who owns, leases, operates or controls a motor vehicle fuel dispensing facility constructed before November 1, 1989, which has not been substantially modified since November 1, 1989 and which has not dispensed greater than 10,000 gallons of motor vehicle fuel in any one calendar month since January 1, 1988 shall maintain, on site at the facility, monthly records of the total number of gallons of motor vehicle fuel dispensed at said facility for the most recent rolling five year period.

4. Any person who owns, leases, operates or controls a tank truck engaged in the direct dispensing of motor vehicle fuel to a motor vehicle or portable container shall install, by September 1, 1995 or prior to commencing operation, whichever is later, a Stage II system that meets the terms and conditions of the system's currently applicable Executive Order. Tank trucks dispensing motor vehicle fuel to emergency motor vehicles or portable containers during fire fighting activities or a declared emergency situation are exempt from the requirements of 310 CMR 7.24(6).

5. Any person subject to 310 CMR 7.24(6) shall conspicuously post Stage II system operating instructions on both sides of all motor vehicle fuel dispensers or at a position adjacent to the dispensers ~~which~~ that is clearly visible to the system operator during the refueling process. Such instructions shall include:

- a. a clear pictorial or written description of how to correctly dispense motor vehicle fuel using the installed Stage II system;

b. a warning not to continue dispensing motor vehicle fuel ("topping-off") after automatic system shutoff has engaged; and

c. the telephone number of the Department's Stage II Consumer Hotline.

~~6. Stationary motor vehicle fuel storage tanks of less than 550 gallons capacity used exclusively for the fueling of implements of husbandry, provided the fuel storage tanks are equipped with submerged fill pipes, are exempt from the requirements of 310 CMR 7.24(6).~~

~~6. Stationary motor vehicle fuel storage tanks used for following purposes only shall be exempt from the requirements of 310 CMR 7.24(6).~~

~~a. A stationary motor vehicle fuel storage tank of 550 gallons or less capacity, used for the purpose of fueling implements of husbandry, provided the fuel storage tank is equipped with submerged fill pipes.~~

~~b. A stationary motor vehicle fuel storage tank of 1000 gallons or less capacity, used for the purpose of onsite fueling of motor vehicles with motor vehicle fuel that is the by-product of motor vehicle salvage yard operations, provided the fuel storage tank is equipped with:~~

~~i. a submerged fill pipe; and~~

~~ii. a pressure vacuum vent valve.~~

~~Any person who owns, leases, operates or controls a stationary motor vehicle fuel storage tank currently installed at a motor vehicle salvage yard and not in compliance with the requirements of this subsection shall take such action as necessary to comply with the requirements of this subsection on or before (180 days of the effective date of these amendments).~~

~~7. On or after (THE EFFECTIVE DATE OF THESE AMENDMENTS), any person who owns, leases, operates or controls a newly installed motor vehicle fuel dispensing facility where a Stage II system is installed in compliance with 310 CMR 7.24(6)(a) 1. shall install a pressure/vacuum (P/V) vent cap on each underground motor vehicle fuel storage tank vent located at said facility, prior to commencing operation. Any person who owns, leases, operates or controls an existing motor vehicle fuel dispensing facility where a vapor balance Stage II system is installed as of (THE EFFECTIVE DATE OF THESE AMENDMENTS) shall install a P/V vent cap on each underground motor vehicle fuel storage tank vent on or before said facility's first Annual In-Use Compliance Certification submittal due date after (THE EFFECTIVE DATE OF THESE AMENDMENTS + 30 days). Each P/V vent cap shall maintain 3.0+/-0.5 inches of water pressure, and 8.0+/-2.0 inches of vacuum.~~

(b) Operation and Maintenance Requirements

1. Any person subject to 310 CMR 7.24(6) shall comply with the following operation and maintenance requirements.

a. Operate and maintain the installed Stage II system ~~in accordance with~~ required by the terms and conditions of the system's currently applicable Executive Order.

b. Take such actions as necessary to comply with the applicable terms and conditions of any new or modified Executive Order upon Department revision of 310 CMR 7.24(6) to incorporate such new or modified Executive Order. Such actions shall be taken either:

i. during applicable ~~routine maintenance~~ Routine Maintenance, Minor Modification or Substantial Modification of the Stage II System; or

ii. ~~upon substantial modification of the Stage II system; or~~

~~iii. —~~ within four years, whichever occurs first.

c. ~~Perform~~ Once every seven (7) days perform a weekly visual inspection of the Stage II system components to determine if such components are installed, functioning and unbroken ~~in accordance with~~ required by the terms and conditions of the system's currently applicable Executive Order. Each visual inspection shall include, but not be limited to, inspection of: nozzle boots and splash/vapor guards; hoses; hose retractors, coaxial adaptors, dry breaks, fill caps and gaskets, vapor recovery caps and gaskets, spill containment boxes and drain valves.

~~d. — Upon determining that a Stage II system component is incorrectly installed, nonfunctioning or broken, immediately remove said component from service, conspicuously post "Out of Order" signs on said component, and, within 14 days, re-install, repair or replace the component in accordance with the terms and conditions of the system's currently applicable Executive Order.~~

~~d. Upon determining a Stage II system component is incorrectly installed, non-functioning or broken during a visual inspection, immediately:~~

~~i. repair such component(s) as required by the terms and conditions of the system's currently applicable Executive Order; or~~

~~ii. stop dispensing motor vehicle fuel through such component(s), conspicuously post "Out of Service" signs on such component, and repair such component as required by the terms and conditions of the system's currently applicable Executive Order within 14 days of the date such~~

component is determined to be incorrectly installed, non-functioning or broken.

e. If an incorrectly installed, non-functioning or broken component cannot be repaired as required by 310 CMR 7.24(6)(b) 1.d., such component shall immediately be Isolated. “Out of Service” signs shall be conspicuously posted on Isolated components until such time as said component are correctly repaired as required by the Stage II system’s currently applicable Executive Order.

f. If an incorrectly installed, non-functioning or broken component cannot be repaired or isolated as required by 310 CMR 7.24(6)(b)1.d. or e., the facility owner/operator shall immediately stop dispensing motor vehicle fuel and conspicuously post “Out of Service” signs on all motor vehicle fuel dispensers until such time as all incorrectly installed, non-functioning or broken components are correctly repaired as required by the terms and conditions of the Stage II system’s currently applicable Executive Order.

~~2. A visual inspection of a Stage II system to meet the requirements of 310 CMR 7.24(6)(b)1.e. may be performed only by a person who is trained to operate and maintain the Stage II system in accordance with the terms and conditions of the system’s currently applicable Executive Order. Each person subject to 310 CMR 7.24(6) shall maintain a current record of all persons trained as per 310 CMR 7.24(6)(b)2. Such record shall be maintained on site or, for tank trucks, at the address from which the tank truck is principally operated, and shall include the following: i. the date training was last received; ii. the trainee’s printed name; and iii. the personal signature of the trainee acknowledging receipt of the training.~~
A visual inspection of a Stage II system to meet the requirements of 310 CMR 7.24(6)(b)1.c. shall be performed only by a person who is trained to operate and maintain the Stage II system as required by the terms and conditions of the system’s currently applicable Executive Order. A current record of all persons trained shall be maintained on site or, for tank trucks, at the address from which the tank truck is principally operated, and shall include the following:

a. the date training was last received;

b. the trainee’s printed name; and

c. the personal signature of the trainee acknowledging receipt of the training.

~~3. Any person subject to 310 CMR 7.24(6) shall maintain all Stage II system maintenance records on site for the most recent rolling twelve month period. Such maintenance records for tank trucks shall be maintained at the address from which the tank truck is principally operated.~~

~~a. Stage II system maintenance records shall be maintained in a log and shall include the following:~~

- ~~i. the date of actual performance of each visual inspection;~~
 - ~~ii. an itemization of all Stage II system components re-installed, repaired or replaced;~~
 - ~~iii. the signature of the person who performed each visual inspection;~~
 - ~~iv. the date and first result of each in-use compliance test, performed pursuant to 310 CMR 7.24(6)(c)2., 3. and 4. as applicable; and~~
 - ~~v. the date each in-use compliance test, performed pursuant to 310 CMR 7.24(6)(c)2., 3. and 4. as applicable, was performed and passed.~~
- 3. Any person subject to 310 CMR 7.24(6) shall maintain all Stage II system maintenance records on site, in a centralized location, for the most recent rolling twelve-month period. Such records may be either (a) hard copy documents or (b) electronic documents, provided that a hard copy of the electronic documents shall be printed on-site immediately upon request. Such maintenance records for tank trucks shall be maintained at the address from which the tank truck is principally operated. Stage II system maintenance records shall include:
 - a. all of the facility's weekly inspection checklists for the prior rolling twelve-month period, identifying:
 - i. the date each weekly visual inspection was performed and the signature of the person who performed the visual inspection;
 - ii. any Stage II system component determined to be incorrectly installed, non-functioning or broken;
 - iii. whether the identified incorrectly installed, non-functioning or broken component was immediately repaired, taken out of service and repaired within 14 days, Isolated, or the facility stopped dispensing motor vehicle fuel and all fuel dispensers were taken out of service;
 - iv. the date incorrectly installed, non-functioning or broken component identified in iii. above was repaired.
 - b. A copy of compliance testing company test results for all Stage II compliance tests during the prior rolling twelve-month period.
 - c. A copy of the Stage II system's most recent Annual In-Use Compliance Certification.
- 4. All records maintained pursuant to 310 CMR 7.24(6)(b) 2. and 3. shall be made available to the Department or the US EPA immediately upon ~~the request of either~~. In the

event requested records cannot be made immediately available, requested records shall be delivered to the Department or the US EPA, as applicable, within 24 hours of the initial request.

(c) **Compliance Testing and Certification Requirements**

1. Stage II system testing, record keeping and certification as a result of Routine Maintenance or Minor Modification of a Stage II system.

a. In the event of Routine Maintenance, a record of such maintenance shall be maintained in accordance with 310 CMR 7.24(6)(b) 3. Compliance testing and submittal of a compliance certification to the Department is not required.

b. In the event of a Minor Modification of a Stage II system, applicable compliance tests shall be performed and passed prior to commencing system operation and a record of such modification and test results shall be maintained in accordance with 310 CMR 7.24(6)(b) 3. Submittal of a compliance certification to the Department is not required.

42. ~~Installation/Substantial Modification-Compliance~~ Certification. Any person subject to 310 CMR 7.24(6) who installs or makes a ~~s~~Substantial ~~m~~Modification to a Stage II system after ~~January 1, 2001~~(THE EFFECTIVE DATE OF THESE AMENDMENTS), shall, prior to commencing operation, ~~shall~~ perform and pass ~~installation~~all applicable compliance tests pursuant to 310 CMR 7.24(6)(~~e~~)1.b~~d~~), and submit to the Department within 7 days of performing and passing said tests, a fully completed and signed ~~Installation/Substantial Modification-Compliance~~ Certification, on a form obtained from the Department, attesting to the following:

a. the installed or substantially modified Stage II system is installed or substantially modified in compliance with 310 CMR 7.24(6)(a);

~~b. the following installation compliance tests, as applicable, were performed in accordance with 310 CMR 7.24(6)(e)6::~~

~~i. Vapor balance systems: Pressure Decay Test and Dynamic Pressure/Liquid Blockage Test;~~

~~ii. Vacuum assist systems: Pressure Decay Test, Air to Liquid Ratio Test and Dynamic Pressure/Liquid Blockage Test; or~~

~~iii. Alternative installation compliance tests that both are specified in the terms and conditions of the installed system's currently applicable Executive Order and are approved by the Department in program guidance issued prior to performance of the alternative tests; and~~

b. all applicable compliance tests as required by 310 CMR 7.24(6)(d) were performed and passed; and

~~c. the applicable installation compliance tests were performed and were passed not more than 30 days prior to the date postmarked on the envelope used to submit the certification to the Department.~~

~~2. Vacuum Assist 120 Day In-Use Compliance Certification. Any person subject to 310 CMR 7.24(6) who installs or makes a substantial modification to a vacuum assist Stage II system after January 1, 2001 shall perform in-use compliance tests pursuant to 310 CMR 7.24(6)(c)2.b. and shall submit to the Department, not more than 120 days after the date postmarked on the envelope used to submit to the Department the certification required by 310 CMR 7.24(6)(c)1. or the date the facility commenced operation, whichever occurs first, a fully completed and signed In-Use Compliance Certification, on a form obtained from the Department, attesting to the following:~~

~~a. the installed vacuum assist Stage II system is operated and maintained in accordance with 310 CMR 7.24(6)(b);~~

~~b. the following in-use compliance tests were performed in accordance with 310 CMR 7.24(6)(c)6.:~~

~~i. Air to Liquid Ratio Test;~~

~~ii. Pressure Decay Test; or~~

~~iii. Alternative in-use compliance tests that both are specified in the terms and conditions of the installed system's currently applicable Executive Order and are approved by the Department in program guidance issued prior to performance of the alternative tests; and~~

~~c. the in-use compliance tests were performed and were passed between 90 and 120 days after the date postmarked on the envelope used to submit to the Department the Installation Compliance certification required by 310 CMR 7.24(6)(c)1.~~

3. Annual In-Use Compliance Certification. Except as provided in 310 CMR 7.24(6)(c) 4., any person subject to 310 CMR 7.24(6) shall ~~perform in-use compliance tests pursuant to 310 CMR 7.24(6)(c)3.b. and shall~~ annually submit to the Department a fully completed and signed Annual In-Use Compliance Certification, on a form obtained from the Department, attesting to the following:

a. the installed Stage II system is operated and maintained ~~in accordance with as~~ required by 310 CMR 7.24(6)(b);

b. the following in-use compliance tests, as applicable, were performed ~~in accordance with as required by~~ 310 CMR 7.24(6)(~~ed~~)6.:

i. Vapor balance systems.

Annual in-use compliance test: Pressure Decay Test; Vapor-Tie Test; P/V Vent Test.

Every-third-year in-use compliance test: Dynamic Pressure/Liquid Blockage Test;;

ii. Vacuum assist systems.

Annual in-use compliance tests: Pressure Decay Test; Vapor-Tie Test; P/V Vent Test; and Air-to-Liquid Ratio Test.

Every-third-year in-use compliance test: Dynamic Pressure/Liquid Blockage Test;or.

~~iii. Alternative in-use compliance tests that both are specified in the terms and conditions of the installed system's currently applicable Executive Order and are approved by the Department in program guidance issued prior to performance of the alternative tests; and~~

iii. Healy systems.

All applicable tests shall be performed annually.

c. The applicable in-use compliance tests were performed and were passed not more than 30 days prior to the date postmarked on the envelope used to submit the ~~certification~~Certification to the Department.

4. Alternative Annual In-Use Compliance Certification. Any person subject to 310 CMR 7.24(6) who submits two consecutive years' of Annual In-Use Compliance Certifications pursuant to 310 CMR 7.24(6)(c) 3. in which all applicable in-use compliance tests were passed on the first try, as certified to ~~in as required by 310 CMR 7.24(6)(eg)78.,~~ may elect to submit annually to the Department ~~a fully completed and signed an~~ Alternative Annual In-Use Compliance Certification, attesting to the following on a form obtained from the Department:

~~a. the installed Stage II system is correctly operated and maintained in accordance with 310 CMR 7.24(6)(b);~~

~~b. the following in use compliance tests, as applicable, were performed in accordance with 310 CMR 7.24(6)(c)6. (The tests must only be performed on an every other year basis with the first tests being conducted the second year following the submittal of two consecutive years' passing test results as described in 310 CMR 7.24(6)(c)3. and (6)(e)7);~~

~~i. Vapor balance systems: Pressure Decay Test and Dynamic Pressure/Liquid Blockage Test.~~

~~ii. Vacuum assist systems: Pressure Decay Test; Air-to-Liquid Ratio Test; and Dynamic Pressure/Liquid Blockage Test; or~~

~~iii. Alternative in-use compliance tests that both are specified in the terms and conditions of the installed system's currently applicable Executive Order and are approved by the Department in program guidance issued prior to performance of the alternative tests; and~~

a. Facilities meeting the requirements of 310 CMR 7.24(6)(c) 4. and electing to submit an Alternative Annual In-Use Compliance Certification shall be:

i. exempt from annual Stage II compliance testing requirements in the year following the submittal of two consecutive years' of Annual In-Use Compliance Certifications in compliance with 310 CMR 7.24(6)(c) 4.; and

ii. subject to all applicable Stage II compliance tests as referenced in 310 CMR 7.24(6)(d) in the second year following the submittal of two consecutive years' Annual In-Use Compliance Certifications in compliance with 310 CMR 7.24(6)(c) 3., and every other year thereafter.

b. Any person submitting an Alternative Annual In-Use Compliance Certification to the Department shall fully complete and sign said Certification and attest to the following:

i. the installed Stage II system is correctly operated and maintained as required by 310 CMR 7.24(6)(b);

ii. all applicable compliance tests were performed and passed as required by 310 CMR 7.24(6)(c) 4.a., and

e. ~~iii.~~ The applicable in-use compliance tests were performed and were passed not more than 30 days prior to the date postmarked on the envelope used to submit the certificationCertification to the Department.

~~d. Any person certifying pursuant to 310 CMR 7.24(6)(c) 4., who fails to pass a required in-use compliance certification on the first try, as shown on the certification form submitted by the testing company pursuant to 310 CMR 7.24(6)(c) 7, shall be required to certify according to the requirements of 310 CMR 7.24(6)(c) 3., until such time as the person meets the requirements in 310 CMR 7.24(6)(c) 4.~~

c. Any person submitting an Alternative Annual In-Use Compliance Certification and fails one or more compliance certification tests on the first try as required by 310 CMR 7.24(6)(c) 4. shall be required, in subsequent years, to annually certify in compliance with the requirements of 310 CMR 7.24(6)(c) 3., until such time as the person meets the requirements in 310 CMR 7.24(6)(c) 4.

5. Annual In-Use Compliance Certification Submittal Requirements. The annual submittal date for ~~certification~~Certifications required pursuant to 310 CMR 7.24(6)(c) 3. and 4., is no later than:

a. For persons subject to 310 CMR 7.24(6) who install or make a ~~s~~Substantial
~~m~~Modification to a Stage II system on or after January 1, 2001, the anniversary of the
date postmarked on the envelope used to submit to the Department the Installation
Compliance ~~certification~~Certification required by 310 CMR 7.24(6)(c) 1. or the date the
facility commenced operation, whichever occurs first; and

b. For all other persons subject to 310 CMR 7.24(6), May 1, 2002, or a date
otherwise provided by the Department, whichever is earlier. Persons subject to 310
CMR 7.24(6)(c) 5.b. who are provided an annual submittal date by the Department
shall be notified by the Department of their first annual submittal date and required
in-use compliance tests pursuant to 310 CMR 7.24(6)(c) 3.b. no less than 90 days
prior to the first annual submittal date established by the Department.

c. Upon request of any person subject to 310 CMR 7.24(6), the Department may
revise said person's annual ~~certification~~Certification submittal date. Such revision
shall set a revised annual submittal date that is no more than 12 months after the
otherwise applicable submittal date.

~~6. Compliance certification tests performed to meet the requirements of 310 CMR
7.24(6)(e) shall be performed only by a person or Stage II compliance testing company that
has submitted to the Department a Stage II Compliance Testing Company
Notification~~Notification in accordance with 310 CMR 7.24(6)(e)1.

~~7. Failure To Pass A Required In-Use Compliance Test. Any person who owns, leases,
operates or controls an installed Stage II system that fails one or more in-use compliance
test(s) shall repair the system so that it meets the terms and conditions of the system's
currently applicable Executive Order and shall re-test and pass the said in-use compliance
test(s) within 14 days of the date the Stage II system failed said test(s). If the Stage II system
is not repaired and does not pass the applicable in-use compliance test(s) within those 14
days, then the person shall stop dispensing motor vehicle fuel and shall conspicuously post
"Out of Order" signs on all motor vehicle fuel dispensers. Dispensing of motor vehicle fuel
shall not resume until the system is repaired and passes the applicable test(s) in accordance
with 310 CMR 7.24(6)(e)3.~~

6. Any person who owns, leases, operates or controls a Stage II system that fails one or
more in-use compliance tests required by 310 CMR 7.24(6) c. 3 or 4., shall immediately:

a. repair incorrectly installed, non-functioning or broken component as required by
the terms and conditions of the Stage II system's currently applicable Executive
Order;

b. re-test and pass each failed test; and

c. submit to the Department the required Annual In-Use Compliance Certification
on or before the facility's Annual In-Use Compliance Certification submittal date
or within 30 days of the date of the Stage II system's first passing test result as

required by 310 CMR 7.24(6)(c) 3.c. or 310 CMR 7.24(6)(c) 4.c., as applicable, whichever occurs first.

7. If a facility fails one or more required in-use compliance tests and the incorrectly installed, non-functioning or broken components cannot be repaired as required by 310 CMR 7.24(6)(c) 6., the facility owner/operator shall immediately:

a. isolate the incorrectly installed, non-functioning or broken components from the Stage II system so that the remainder of the Stage II system operates as required by the terms and conditions of the system's currently applicable Executive Order; and

b. submit to the Department the required Annual In-Use Compliance Certification based on passing test results for the remainder of the Stage II system on or before the facility's Annual In-Use Compliance Certification submittal date or within 30 days of the date of the Stage II system's first passing test result as required by 310 CMR 7.24(6)(c) 3.c. or 310 CMR 7.24(6)(c) 4.c., as applicable, which ever occurs first.

c. Any Stage II system component Isolated from the remainder of the Stage II System shall remain Isolated until such time as:

i. said component is repaired as required by the terms and conditions of the Stage II System's currently applicable Executive Order; and

ii. all applicable, compliance testing, record keeping and certification requirements for the Routine Maintenance, Minor Modification, or Substantial Modification of a Stage II system are complied with.

8. If a facility fails one or more required in-use compliance tests and the incorrectly installed, non-functioning or broken Stage II system component cannot be repaired as required by 310 CMR 7.24(6)(c) 6. or 7., the facility owner/operator shall immediately stop dispensing motor vehicle fuel and conspicuously post "Out of Service" signs on all motor vehicle fuel dispensers until such time as:

a. all incorrectly installed, non-functioning or broken components are repaired as required by the terms and conditions of the Stage II system's currently applicable Executive Order;

b. all applicable in-use compliance tests are performed and passed as required by 310 CMR 7.24(6)(c) 3. or 4., as applicable; and

c. a fully completed Annual In-Use Compliance Certification has been submitted to the Department as required by 310 CMR 7.24(6)(c) 3.

d. If a facility fails one or more required in-use compliance tests and is subject to 310 CMR 7.24(6)(c) 8., for purposes of compliance with the Annual In-Use Compliance Certification submittal requirements of 310 CMR 7.24(6)(c) 3. or 4., said facility owner/operator shall submit to the Department a fully completed and signed Stage II System Closure Notification as required by 310 CMR 7.24(6)(e) 2. on or before said facility's currently applicable Annual In-Use Compliance Certification submittal due date.

8. Any certification submitted by a person subject to 310 CMR 7.24(6) pursuant to 310 CMR 7.24(6)(c) shall be signed by an individual who is a responsible official regarding the Stage II system, who shall attest to the following:

~~a. — I certify that I personally examined the foregoing and am familiar with the information contained in this document and all the attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment;~~

~~b. — that systems to maintain compliance are in place at the facility or, if applicable, at the location from which the tank truck is principally operated and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and~~

~~c. — I am fully authorized to make this attestation on behalf of this facility or tank truck, as applicable.~~

~~9. — Any person immediately responsible for obtaining information referenced in 310 CMR 7.24(6)(c) 8. a., who knowingly and willfully makes false, inaccurate, incomplete or misleading statements pursuant to any certification or notificationNotification required under 310 CMR 7.24(6), may be in violation of 310 CMR 7.24(6). Notwithstanding the previous sentence, any person subject to the requirements of 310 CMR 7.24(6), shall comply with all applicable provisions of 310 CMR 7.24(6).~~

9. Any Certification submitted to the Department as required by 310 CMR 7.24(6)(c) shall be signed by a Stage II System Responsible Official as required by 310 CMR 7.24(6)(f).

10. Any person subject to 310 CMR 7.24(6), upon written notice from the Department, shall perform such compliance tests as the Department determines necessary to demonstrate the Stage II system is installed and maintained ~~in accordance with~~ as required by the terms and conditions of the system's currently applicable Executive Order and shall submit the results to the Department within 14 days of the performance of said tests.

(d) Stage II System Compliance Testing Requirements

For the purposes of 310 CMR 7.24(6)(c), the following Stage II System compliance tests and requirements shall be required:

1. Vapor Balance systems.
Pressure Decay Test, Vapor-Tie Test, P/V Vent Test and Dynamic Pressure/Liquid Blockage Test

2. Vacuum Assist systems.
Pressure Decay Test, Vapor-Tie Test, P/V Vent Test, Air-to-Liquid Ratio Test and Dynamic Pressure/ Liquid Blockage Test

3. Healy systems.

a. Healy 400 ORVR (Executive Order # G-70-186), Healy 400 ORVR Above Ground Storage System (Executive Order # G-70-187) and Franzen-Hill Cargo Tank Truck System (Executive Order # G-70-193):

Pressure Decay Test;

Vapor Tie Test;

P/V Vent Test;

Exhibit 4: Vapor Return Line Vacuum Integrity Test; and

Exhibit 5: Fillneck Vapor Pressure Regulation Fueling Test.

b. Healy 600 (Executive Order # G-70-165):

Pressure Decay Test;

Vapor Tie Test;

P/V Vent Test;

Air-to-Liquid Ratio Test; and

Exhibit 4: Vapor Return Line Vacuum Integrity Test.

4. Compliance tests performed to meet the requirements of 310 CMR 7.24(6)(c) shall be performed only by a person or Stage II compliance testing company that has submitted to the Department a Stage II Compliance Testing Company Notification as required by 310 CMR 7.24(6)(g) 1.

(de) Notification Requirements.

1. Any person, upon entering into a purchase, lease or other contractual agreement by which said person becomes the owner, operator, lessee or controller of an existing motor vehicle fuel dispensing facility or tank truck subject to 310 CMR 7.24(6) shall submit to the Department, within 30 days of the effective date of becoming such an owner, operator, lessee or controller or within 10 days of a written request from the Department, a fully completed New Stage II ~~Change-of-System~~ Owner, Operator, Lessee or Controller Notification on a form obtained from the Department.

a. The ~~n~~Notification shall include the following:

i. the name of the new Stage II system owner, operator, lessee or controller and related business documentation, including the name and address of the facility where the Stage II system is located or from which the tank truck is principally operated; and

ii. the effective date said person became the ~~change-of~~new owner, operator, lessee or controller-~~occurred~~.

b. Any ~~n~~Notification shall be signed by the individual who is a ~~r~~Responsible ~~o~~Official for the new owner, operator, lessee or controller regarding the Stage II system, who shall attest to the following:

i. I certify that I personally examined the foregoing and am familiar with the information contained in this document and all the attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment;

ii. I am fully authorized to make this attestation on behalf of this facility or tank truck, as applicable.

~~2. Any person subject to the requirements of 310 CMR 7.24(6) who removes an existing motor vehicle fuel dispensing facility or tank truck from service and intends to terminate that person's obligations under 310 CMR 7.24(6) regarding the facility or tank truck shall submit a fully completed and signed Stage II System Closure Certification to the Department, on a form obtained from the Department.~~

~~a. The closure certification shall include the following:~~

~~i. the name of the Stage II system owner, operator, lessee or controller and related business documentation, including the name and address of the facility where the Stage II system was located or from which the tank truck was principally operated;~~

~~ii. the Stage II Facility Customer Code number for the applicable facility or tank truck; and~~

~~iii. attestation that all motor vehicle fuel storage tanks or dispensers have been removed.~~

~~b. Each closure certification shall be signed by an individual who is a responsible official regarding the Stage II system, who shall attest to the following:~~

~~i. I certify that I personally examined the foregoing and am familiar with the information contained in this document and all the attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment;~~

~~ii. I am fully authorized to make this attestation on behalf of this facility or tank truck, as applicable.~~

~~c. A motor vehicle fuel dispensing facility or tank truck subject to the requirements of 310 CMR 7.24(6), where the motor vehicle fuel storage tank(s) or dispenser(s) have been removed, is no longer subject to 310 CMR 7.24(6) as of the~~

~~date postmarked on the envelope used to submit the closure certification to the Department.~~

~~2. Any person subject to 310 CMR 7.24(6), upon entering into a sale, lease or other contractual agreement by which said person relinquishes his or her authority as an owner, operator, lessee or controller of a facility or tank truck subject to 310 CMR 7.24(6), shall submit to the Department, within 30 days of the effective date of said sale, lease or other contractual agreement, a signed letter notifying the Department of the following:~~

~~a. the name of the person relinquishing his or her authority as an owner, operator, lessee or controller of the facility or tank truck subject to 310 CMR 7.24(6), the facility name, Stage II Facility Customer Code Number and address or the address from which the tank truck is principally operated, as applicable;~~

~~b. the name of the new owner, operator, lessee or controller of the facility or tank truck subject to 310 CMR 7.24(6) and related business information, including the new facility name and address or the address from which the tank truck is principally operated, as applicable; and~~

~~c. the effective date of the change of owner, operator, lessee or controller.~~

~~3. Any person subject to the requirements of 310 CMR 7.24(6) seeking to permanently or temporarily take out of use an existing motor vehicle fuel dispensing facility or tank truck shall submit to the Department a fully completed and signed Stage II System Closure Notification, on a form obtained from the Department.~~

~~a. Said Notification shall include the following:~~

~~i. the name of the Stage II facility owner, operator, lessee or controller and related business information, including the name and address of the facility where the Stage II system was located or from which the tank truck was principally operated, as applicable;~~

~~ii. the Stage II Facility Customer Code number for the applicable facility or tank truck; and~~

~~iii. a fully completed Notification For Storage Tanks Regulated Under 527 CMR 9.00 (FP-290) Form, as issued by the local Fire Department, documenting that the applicable facility or tank truck is either permanently or temporarily taken out of use.~~

~~b. Any person subject to the requirements of 310 CMR 7.24(6) who temporarily takes out of use a motor vehicle fuel dispensing facility shall, prior to re-commencing the distribution of motor vehicle fuel, perform and pass all applicable compliance tests and submit to the Department a fully completed Installation/Substantial Modification Certification as required by 310 CMR~~

7.24(6)(c) 1. Said temporary Notification shall be renewed as necessary by submitting an updated, fully completed Stage II System Closure Notification, on or before the annual anniversary of the date the local Fire Department signed the required FP-290 Form. Said renewal shall include a current FP-290 Form, as issued by the local Fire Department, documenting the facility's continued temporary out of use status.

c. Any person subject to the requirements of 310 CMR 7.24(6), where the motor vehicle fuel dispensing facility is either permanently or temporarily taken out of use, shall no longer be subject to 310 CMR 7.24(6) as of the effective date the facility was taken out of service as referenced in the required FP-290 Form.

4. Any Notification submitted to the Department as required by 310 CMR 7.24(6)(e) shall be signed by a Stage II System Responsible Official as required by 310 CMR 7.24(6)(f).

(f) Stage II System Responsible Official Certification of Compliance.

1. Except in circumstances described in 310 CMR 7.24(6)(f) 2., any Certification or Notification required by 310 CMR 7.24(6)(c) or (e) shall be signed by an individual who is a Responsible Official regarding Stage II system compliance.

2. For Stage II systems owned by one party and leased, operated or controlled by another independent party and where both parties have separate Stage II compliance responsibilities, any Certification or Notification submitted in compliance with the requirements of 310 CMR 7.24(6)(c) or (e) shall be signed by Responsible Officials for each party regarding Stage II system compliance. Each Stage II System Responsible Official shall attest to the following:

i. I certify that I personally examined the foregoing and am familiar with the information contained in this document and all the attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment;

ii. that systems to maintain compliance are in place at the facility or, if applicable, at the location from which the tank truck is principally operated and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and

iii. I am fully authorized to make this attestation on behalf of this facility or tank truck, as applicable.

3. Any person immediately responsible for obtaining information referenced in 310 CMR 7.24(6)(f), who knowingly and willfully makes false, inaccurate, incomplete or misleading statements pursuant to any Certification or Notification required under 310

CMR 7.24(6), may be in violation of 310 CMR 7.24(6). Notwithstanding the previous sentence, any person subject to the requirements of 310 CMR 7.24(6), shall comply with all applicable provisions of 310 CMR 7.24(6).

(eg) Compliance Testing Company Requirements

1. On or after ~~January 1, 2001~~(THE EFFECTIVE DATE OF THESE AMENDMENTS), any person who owns, leases, operates or controls a company that performs Stage II compliance tests to meet the requirements of 310 CMR 7.24(6)(c) shall submit to the Department a fully completed Stage II Compliance Testing Company Notification, on a form obtained from the Department, prior to performing any required Stage II compliance test.

a. the ~~notification~~Notification shall include the following:

i. the name and business mailing address of the Stage II compliance testing company owner, operator, lessee or controller;

ii. the name and address of any business that is engaged in the installation or ~~substantial modification~~Substantial Modification of Stage II systems and is owned, operated, leased or controlled by, or affiliated with the owner, operator, lessee or controller of the compliance testing company;

iii. the name and address of any motor vehicle fuel dispensing facility or tank truck subject to 310 CMR 7.24(6) that is owned, operated, leased or controlled by, or affiliated with the owner, operator, lessee or controller of the compliance testing company;

iv. the address and telephone number of the facility(ies) from which the daily compliance testing activities of the compliance testing company originate and at which any records required by 310 CMR 7.24(6)(~~eg~~)9 10 are maintained;~~and~~

v. a written description of the employee training systems in place at the compliance testing company to ensure required compliance tests are performed ~~in accordance with~~as required by applicable protocols and procedures, pursuant to 310 CMR 7.24(6)(~~eg~~)56 and ~~67~~; and

vi. a list of all Compliance Testing Company Responsible Officials with the authority to sign Compliance Testing Company Certifications on behalf of the compliance testing company.

b. ~~e~~Each ~~notification~~Notification shall be signed by an individual who is a ~~R~~Responsible ~~e~~Official regarding the compliance testing company, who shall attest to the following:

i. I certify that I personally examined the foregoing and am familiar with the information contained in this document and all the attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment;

ii. Employee training systems are in place at the company to ensure Stage II compliance tests are performed ~~in accordance with~~ as required by all applicable protocols and procedures and such training systems will be maintained for the coming year even if the protocols and procedures are changed over the course of the year; and

iii. I am fully authorized to make this attestation on behalf of this Stage II Compliance Testing company.

2. Any person subject to the requirements of 310 CMR 7.24(6)(~~eg~~) shall notify the Department in writing of any change to the information submitted to the Department pursuant to 310 CMR 7.24(6)(~~eg~~) 1. within 14 days of the effective date of such change. Upon the Department's written request, the person shall submit a fully revised and completed ~~notification~~ Notification to the Department ~~in accordance with~~ as required by the requirements of 310 CMR 7.24(6)(~~eg~~) 1.

3. No person subject to 310 CMR 7.24(6)(~~eg~~) shall perform any Stage II compliance test unless said person has first been trained in accordance with the applicable compliance test protocols and procedures required ~~pursuant to~~ by 310 CMR 7.24(6)(~~eg~~) 5 6. and 67.

4. Any person subject to the requirements of 310 CMR 7.24(6)(~~eg~~) shall submit, at least once every two weeks, a written list to the Department identifying all motor vehicle fuel dispensing facilities and tank trucks at which the company is scheduled to perform required Stage II compliance test(s) over the next 14 day period.

a. The list shall be organized by Department ~~R~~ region and date, and shall include the name and address of each facility or tank truck to be tested, the applicable section under 310 CMR 7.24(6)(c) 1., 2., or 3. ~~or 4.~~ the required compliance tests shall be performed, and the estimated time that the company expects to arrive at the facility location.

b. The Department shall be notified, in writing, of any change of date of an individual facility's scheduled compliance tests no later than 9a.m. of the day the scheduled test(s) is to occur. Additions to a submitted compliance ~~testing~~ schedule shall be submitted to the Department, in writing, no less than two working days prior to the date of any scheduled test.

c. Failure to comply with the ~~notification~~Notification requirements of 310 CMR 7.24(6)(~~eg~~)24. may be a basis for the Department to determine that tests conducted after inadequate notice are invalid.

5 Any person subject to the requirements of 310 CMR 7.24(6)(g) shall immediately notify the Department of any failed Stage II compliance tests performed as required by 310 CMR 7.24(6)(c) if said person did not return to retest the Stage II system as required by 310 CMR 7.24(6)(c) 6. or 7. on or before the facility's Annual In-Use Compliance Certification submittal date, or within 30 days of the date of the Stage II system's first passing test result, which ever occurs first. Said person shall notify the Department regarding the name and address of the facility, and the facility's Facility Account Number.

56. Any person subject to 310 CMR 7.24(6)(~~eg~~) shall perform compliance tests to meet the requirements of 310 CMR 7.24(6)(c) only upon confirmation that:

a. all above ground Stage II system components including, but not limited to: dispensers; nozzles; swivels; hose retractors; hoses; breakaways; vapor check valves; and the pressure/vacuum valve(s) are installed as required and are the correct components ~~in accordance with~~as required by the terms and conditions of the system's currently applicable Executive Order; and

b. all motor vehicle fuel dispensing facilities with two or more motor vehicle fuel storage tanks are properly manifolded ~~in accordance with~~as required by the terms and conditions of the system's currently applicable Executive Order.

67. Any person subject to 310 CMR 7.24(6)(~~eg~~), shall perform Stage II compliance tests to meet the requirements of 310 CMR 7.24(6) only in accordance with the applicable California Air Resources Board test procedures cited below, ~~subject to the exceptions as cited:~~

~~a. Pressure Decay Test (TP-201.3A). The following exceptions shall be made from test procedure TP-201.3A:~~

~~i. pressure decay tests shall be conducted at 5.8oz/in² or 10 inches of water column; and~~

~~ii. P/V relief vents shall be tested to be within .29oz/in² or 0.5 inches of water column of the designed pressure and within 1.2oz/in² or 2.0 inches of water column of the vacuum settings.~~

a. Pressure Decay Test (Bay Area Air Pollution Control District Source Test Procedure ST-30 (2/6/1991)) and Table A. Minimum Allowable Pressure.

<u>Table A. MINIMUM ALLOWABLE PRESSURE (Based on an initial pressure of 10.0" wc.)</u>

<u>Ullage (Gal)</u>	<u>Minimum Allowable Pressure ("wc)</u>	<u>Ullage (Gal)</u>	<u>Minimum Allowable Pressure ("wc)</u>
<u>500</u>	<u>3.70</u>	<u>6,000</u>	<u>9.38</u>
<u>600</u>	<u>4.50</u>	<u>7,000</u>	<u>9.46</u>
<u>700</u>	<u>5.20</u>	<u>7,500</u>	<u>9.50</u>
<u>800</u>	<u>5.80</u>	<u>8,000</u>	<u>9.52</u>
<u>900</u>	<u>6.20</u>	<u>9,000</u>	<u>9.56</u>
<u>1,000</u>	<u>6.50</u>	<u>10,000</u>	<u>9.60</u>
<u>1,250</u>	<u>7.05</u>	<u>11,000</u>	<u>9.62</u>
<u>1,750</u>	<u>7.90</u>	<u>12,000</u>	<u>9.64</u>
<u>2,000</u>	<u>8.20</u>	<u>13,000</u>	<u>9.66</u>
<u>2,250</u>	<u>8.35</u>	<u>14,000</u>	<u>9.68</u>
<u>2,500</u>	<u>8.50</u>	<u>15,000</u>	<u>9.70</u>
<u>2,750</u>	<u>8.60</u>	<u>16,000</u>	<u>9.71</u>
<u>3,000</u>	<u>8.70</u>	<u>17,000</u>	<u>9.71</u>
<u>3,250</u>	<u>8.80</u>	<u>18,000</u>	<u>9.72</u>
<u>3,500</u>	<u>8.90</u>	<u>19,000</u>	<u>9.73</u>
<u>3,750</u>	<u>9.00</u>	<u>20,000</u>	<u>9.73</u>
<u>4,000</u>	<u>9.10</u>	<u>21,000</u>	<u>9.74</u>
<u>4,250</u>	<u>9.15</u>	<u>22,000</u>	<u>9.75</u>
<u>4,500</u>	<u>9.20</u>	<u>23,000</u>	<u>9.75</u>
<u>4,750</u>	<u>9.25</u>	<u>24,000</u>	<u>9.76</u>
<u>5,000</u>	<u>9.30</u>	<u>25,000</u>	<u>9.77</u>
		<u>30,000</u>	<u>9.80</u>
Note: For a valid test, total ullage must be at least 500 gallons but no more than 30,000 gallons.			

b. Underground Piping Check (Vapor Tie) Test (San Diego County Air Pollution Control District Test Procedure TP-96-1, Section 5.1.9)

c. Pressure/Vacuum Vent Test (Leak Rate and Cracking Pressure of Pressure/Vacuum Vent Valves, CARB TP-201.1E) P/V relief vents shall be tested to be within .29oz/in² or 0.5 inches of water column of the designed pressure and within 1.2oz/in² or 2.0 inches of water column of the vacuum settings.

~~b~~d. Air-to-Liquid Volume Ratio Test (TP-201.5).

~~c~~e. Dynamic Pressure/Liquid Blockage Test (TP-201.4).

~~d. Other applicable compliance test(s) that are both approved by the California Air Resources Board and approved by the Department in program guidance issued prior to their use.~~

f. Healy 400 ORVR (Executive Order # G-70-186), Healy 400 ORVR Above Ground Storage System (Executive Order # G-70-187) and Franzen-Hill Cargo Tank Truck System (Executive Order # G-70-193)

Exhibit 4: Vapor Return Line Vacuum Integrity Test
Exhibit 5: Fillneck Vapor Pressure Regulation Fueling Test

Healy 600 (Executive Order # G-70-165)

Exhibit 4: Vapor Return Line Vacuum Integrity Test.

~~78.~~ Any person subject to 310 CMR 7.24(6)(~~eg~~) shall certify to the Department that each compliance test performed to meet the requirements of 310 CMR 7.24(6)(c) was performed ~~in accordance with~~ as required by 310 CMR 7.24(6)(~~eg~~) ~~56.~~ and ~~67.~~ The required ~~certification~~ Certification shall be submitted on the applicable Stage II Installation Certification or Annual In-Use Compliance Certification ~~submitted pursuant to 310 CMR 7.24(6)(e),~~ as applicable. The required ~~certification~~ Certification shall include:

- a. the date each compliance test was first performed and the result; and
- b. the date each compliance test was performed and passed.

c. a notation whether, (i) the entire installed Stage II system was tested and passed all applicable compliance tests or (ii) incorrectly installed, non-functioning or broken components were Isolated from the remainder of the installed Stage II system and the remainder of Stage II system was tested and passed all applicable compliance tests.

d. If the remainder of the Stage II system was tested and passed all applicable compliance tests, as noted in 310 CMR 7.24(6)(g) 8.c., identify all components Isolated from the remainder of the Stage II system.

~~89.~~ Each ~~certification~~ Certification submitted pursuant to 310 CMR 7.24(6)(~~eg~~) ~~7 8.~~ shall be fully completed and signed by ~~an individual who is a responsible official regarding the compliance testing company~~ Compliance Testing Company Responsible Official, who shall attest to the following:

- a. I certify that I personally examined the foregoing and am familiar with the information contained in this document and all the attachments and that, based on my inquiry of those persons immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; and
- b. I am fully authorized to make this attestation on behalf of this Stage II Compliance Testing company.

~~910.~~ Any person subject to 310 CMR 7.24(6)(~~eg~~) shall maintain the following records on site, for a minimum of five years, at the location(s) referenced on the form submitted pursuant to 310 CMR 7.24(6)(~~eg~~) 1.a.iv:

a. A complete set of records of compliance tests performed to meet the requirements of 310 CMR 7.24(6)(c). Such records shall include, by facility address:

- i. the date and first result for each required test performed;
- ii. the date each test was performed and passed; and
- iii. an itemized list of all Stage II system components re-installed, repaired or replaced as necessary for the system to pass the applicable test(s).

b. A current record of all persons or employees trained ~~in accordance with~~ required by 310 CMR 7.24(6)(~~eg~~)3. Such record shall include the following: i. the date training was received; ii. the person or employee's printed name; and iii. the personal signature of the person or employee acknowledging receipt of required training.

~~4011~~. All records maintained pursuant to 310 CMR 7.24(6)(~~eg~~)9 10. shall be made available to the Department or the US EPA immediately upon the request of either.

(~~fh~~) Violations of 310 CMR 7.24(6)

~~1.~~—For any person subject to 310 CMR 7.24(6) it shall be a violation of 310 CMR 7.24(6) to:

~~a1.~~ fail to submit any ~~certification~~Certification or ~~notification~~Notification required ~~pursuant~~by to 310 CMR 7.24(6) as applicable;

~~b2.~~ make any false, inaccurate, incomplete or misleading statements in any ~~certification~~Certification or ~~notification~~Notification required ~~pursuant~~by to 310 CMR 7.24(6);

~~e3.~~ make any false, inaccurate, incomplete or misleading statements in any record, report, plan, file, log or register which said person is required to keep pursuant to 310 CMR 7.24(6);

~~d4.~~ hold themselves out as a responsible official in violation of the applicable requirements ~~pursuant~~of to 310 CMR 7.24(6);

~~e5.~~ fail to comply with any applicable standards imposed under 310 CMR 7.24(6); or

~~f6.~~ violate any other provision of 310 CMR 7.24(6).

(~~gi~~) Department Adopted CARB Stage II System Executive Orders.

Number	Description
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<u>G-70-7-AD</u>	Certification of the Hasstech Model VCP-2 and VCP 2A Phase II Vapor Recovery System.
G-70-14-AA	Recertification of Red Jacket Aspirator Assist Phase II Vapor Recovery System.
G-70-17-AD	Modification of Certification of the Emco Wheaton Balance Phase II Vapor Recovery System.
G-70-18-C	Modification of Certification of the Shell Model 75B1 and 75B1-R3 Service Station Phase II Vapor Recovery System.
<u>G-70-23-AC</u>	Recertification of the Exxon Balance Phase II Vapor Recovery System.
G-70-25-AA	Recertification of the Atlantic Richfield Balance Phase II Vapor Recovery System.
G-70-33-AB	Certification of the Modified Hirt VCS-200 Vacuum Assist Phase II Vapor Recovery System.
G-70-36-AD	Modification of Certification of the OPW Balance Phase II Vapor Recovery System.
G-70-37-B	Modification of the Certification of the Chevron Balance Phase II Vapor Recovery System with OPW nozzles for Service.
G-70-38-AB	Recertification of the Texaco Balance Phase II Vapor Recovery System.
G-70-48-AA	Recertification of the Mobil Oil Balance Phase II Vapor Recovery System.
G-70-49-AA	Recertification of the Union Balance Phase II Vapor Recovery System.
G-70-52-AM	Certification of Components for Red Jacket, Hirt and Balance Phase II Vapor Recovery System.
G-70-53-AA	Recertification of the Chevron Balance Phase II Vapor Recovery System.
G-70-70-AC	Certification of the Healy Phase II Vapor Recovery System of Service Stations.
G-70-77	Certification of the OPW Repair/Replacement Parts and Modification of the Certification of the OPW Balance Phase II Vapor Recovery System.
G-70-78	Certification of the E-Z Flo Nozzle Company Rebuilt Vapor Recovery Nozzles and Vapor Recovery Components.
G-70-101-B	Certification of the E-Z Flo Model 3006 and 3007 Vapor Recovery Nozzles and Use of E-Z Flo Components with OPW Models 11VC and 11 VE Vapor Recovery Nozzles.
G-70-107	Certification of Rainbow Petroleum Products Model RA3003, RA3005, RA3006 and RA3007 Vapor Recovery Nozzles and Vapor Recovery Components.
G-70-110	Certification of Stage I and II Vapor Recovery Systems for Methanol Fueling Facilities.
G-70-118-AB	Certification of Amoco V-1 Vapor Recovery System.
G-70-125-AA	Modification of the Certification of the Husky Model V Phase II Balance Vapor Recovery Nozzle.
G-70-127	Certification of the OPW Model 111-V Phase Vapor Recovery Nozzle.
G-70-134	Certification of the EZ Flo Rebuilt A-4000 Series and 11V-Series Vapor Recovery System.
G-70-139	Addition to the Certification of the Hirt Model VCS-200 Phase II Vapor Recovery System.
G-70-150-AE	Modification of the Certification of the Gilbarco VaporVac Phase II Vapor Recovery System.

G-70-153-AD	Modification to the Certification of the Dresser/Wayne WayneVac Phase II Vapor Recovery System.
G-70-154-AA	Modification to the Certification of the Tokheim MaxVac Phase II Vapor Recovery System.
G-70-159-AB	Modification of the Certification of the Saber Nozzle for Use with the Gilbarco VaporVac Phase II Vapor Recovery System.
G-70-163-AA	Certification of the OPW VaporEZ Phase II Vapor Recovery System.
G-70-164-AA	Modification to the Certification of the Hasstech VCP-3A Vacuum Assist Phase II Vapor Recovery System.
G-70-165	Healy Vacuum Assist Phase II Vapor Recovery System.
G-70-169-AA	Modification to the Certification of the Franklin Electric INTELLIVAC Phase II Vapor Recovery System.
G-70-170	Certification of the EZ-flo Rebuilt 5005 and 5015 for use with the Balance Phase II Vapor Recovery System.
G-70-177-AA	Certification of the VCS400-7 Vacuum Assist Phase II Vapor Recovery System.
G-70-179	Certification of the Catlow ICVN-V1 Vacuum Assist Phase II Vapor Recovery System.
G-70-180	Order Revoking Certification of the Healy Phase II Vapor Recovery Systems for Gasoline Dispensing Systems.
G-70-183-AA	Certification of the Healy/Franklin Vacuum Assist Phase II Vapor Recovery System.
G-70-186	Certification of the Healy Model 400 ORVR Vapor Recovery System.
G-70-188	Certification of the Catlow ICVN Vapor Recovery Nozzle System for use with the Gilbarco VaporVac Vapor Recovery System.
G-70-191-AA	Healy/Franklin VP-1000 Vapor Pump Phase II Vapor Recovery System(Healy ORVR Phase II Vapor Recovery System).
<u>G-70-196</u>	<u>Certification of the Saber Technologies, LLC SaberVac VR Phase II Vapor Recovery System</u>
<u>G-70-199-AJ</u>	<u>Certification of the Gasoline Dispensing Nozzles to the Liquid Retention of 350 millileters per 1,000 Gallons Dispensed.</u>
<u>VR-201-A</u>	<u>Healy System Inc. Phase II Enhanced Vapor Recovery (EVR) System Not Including ISD</u>
<u>EVR-202-A</u>	<u>Healy Phase II Enhanced Vapor Recovery System Including Veeder-Root ISD System</u>
<u>G-70-204-A</u>	<u>Certification of the Gilbarco VaporVac/OPW Vaporsaver ORVR-Compatible System</u>

(j) Department Adopted CARB Stage II System Executive Orders for Above Ground Storage Tank Vapor Recovery Systems.

<u>Number</u>	<u>Description</u>
<u>G-70-102-A</u>	<u>Certification of a Phase I Vapor Recovery System for Aboveground Storage Tanks with less than 40,000 Gallons Capacity for Gasoline or Gasoline/Methanol Blended Fuels</u>

<u>G-70-116-F</u>	<u>ConVault Aboveground Tank Vapor Recovery System</u>
<u>G-70-128</u>	<u>Bryant Fuel Cell Aboveground Tank Vapor Recovery System</u>
<u>G-70-130A</u>	<u>Petrovault Aboveground Tank Vapor Recovery System</u>
<u>G-70-131A</u>	<u>Tank Vault Aboveground Tank Vapor Recovery System</u>
<u>G-70-132-A</u>	<u>Supervault Aboveground Tank Vapor Recovery System</u>
<u>G-70-132-B</u>	<u>Supervault Aboveground Tank Vapor Recovery System</u>
<u>G-70-136</u>	<u>FireSafe Aboveground Tank Vapor Recovery System</u>
<u>G-70-137</u>	<u>FuelSafe Aboveground Tank Vapor Recovery System</u>
<u>G-70-138</u>	<u>Phase II Vapor Recovery Systems Installed on Gasoline Bulk Plants/Dispensing Facilities with Aboveground Tanks</u>
<u>G-70-139</u>	<u>Addition to the Certification of the Hirt Model VCS-200 Phase II Vapor Recovery System</u>
<u>G-70-140-A</u>	<u>Integral Phase I and Phase II Aboveground Tank Configurations with the Healy Phase II Vapor Recovery System</u>
<u>G-70-142-B</u>	<u>Phase I Vapor Recovery System for Aboveground Gasoline Storage Tanks</u>
<u>G-70-143</u>	<u>P/T Vault Aboveground Tank Vapor Recovery System</u>
<u>G-70-147-A</u>	<u>New United Motors Manufacturing, Incorporated Phase II Vapor Recovery System at the Fremont, California Assembly Plant</u>
<u>G-70-148-A</u>	<u>Lube Cube Aboveground Tank Vapor Recovery System</u>
<u>G-70-152</u>	<u>Moiser Brothers Tanks and Manufacturing Aboveground Tank Vapor Recovery System</u>
<u>G-70-155</u>	<u>Petroleum Marketing Aboveground Tank Vapor Recovery System</u>
<u>G-70-156</u>	<u>Ecovault Aboveground Tank Vacuum Assist Vapor Recovery System</u>
<u>G-70-157</u>	<u>Ecovault Aboveground Tank Balance Vapor Recovery System</u>
<u>G-70-158-A</u>	<u>Firesafe Aboveground Tank Vapor Recovery System</u>
<u>G-70-160</u>	<u>Above Ground Tank Vault Vapor Recovery System</u>
<u>G-70-161</u>	<u>Hoover Containment Systems, Incorporated Fuelmaster Aboveground Tank Vapor Recovery System</u>
<u>G-70-162-A</u>	<u>Steel Tank Institute Fireguard Aboveground Tank Vapor Recovery System</u>
<u>G-70-167</u>	<u>EnviroVault Aboveground Tank Vapor Recovery System</u>
<u>G-70-168</u>	<u>Bryant Fuel Systems Phase I Vapor Recovery System</u>
<u>G-70-175</u>	<u>Hasstech VCP-3A Vacuum Assist Phase II Vapor Recovery System for Aboveground Tank Systems</u>
<u>G-70-181</u>	<u>Hirt VCS400-7 Bootless Nozzle Phase II Vapor Recovery System for Aboveground Storage Tank Systems</u>
<u>G-70-187</u>	<u>Healy Model 400 ORVR Vapor Recovery System for Aboveground Tank Systems</u>

<u>G-70-190</u>	<u>Guardian Containment, Corporation Armor Cast Aboveground Tank Vapor Recovery System</u>
<u>G-70-192</u>	<u>Certification of the Healy Model 400 ORVR Nozzle for Existing Aboveground Storage Tank Systems</u>
<u>G-70-193</u>	<u>Certification of the Hill-Vac Vapor Recovery System for Cargo Tank Motor Vehicle Fueling Systems</u>
<u>G-70-194</u>	<u>Containment Solutions Hoover Vault Aboveground Tank Vapor Recovery System</u>
<u>G-70-195</u>	<u>Cretex Companies, Inc FuelVault Aboveground Tank Vapor Recovery System</u>
<u>G-70-197</u>	<u>Synchrotek Fastflo 3 Phase II Vapor Recovery System</u>
<u>G-70-200</u>	<u>Oldcastle Aboveground Below-Grade Fuel Vault with Balance Vapor Recovery System and Buried Vapor Return Piping</u>
<u>G-70-201</u>	<u>Oldcastle Aboveground Below-Grade Fuel Vault with Balance Vapor Recovery System and Trenched Vapor Return Piping</u>
<u>G-70-202</u>	<u>Oldcastle Aboveground Below-Grade Fuel Vault with Gilbarco VaporVac Phase II Recovery System and Trenched Vapor Return Piping</u>

(hk) The provisions and requirements of 310 CMR 7.24 (6)(a) and (b) are subject to the enforcement provisions specified in 310 CMR 7.52.

Attachment II

Guidance Table:

Compliance Testing For Minor Modification of Stage II Systems

For Discussion Purposes Only

GUIDANCE TABLE: Compliance Testing For Minor Modification of Stage II Systems

MODIFICATION/REPAIR	TESTING REQUIRED
<u>MINOR MODIFICATIONS</u> For minor Stage II system modifications and repairs, the following compliance tests, as applicable, are required to be performed and passed prior to commencing operation and a record of such modification and applicable test results maintained on-site. Submittal of a compliance certification to the Department is not required.	
1. Replace dispenser mounted vapor pump (vacuum motor).	Air-to-Liquid Ratio Test (A/L) for that vapor pump and applicable nozzles.
2. Replace “screw-on” spill or dry break bucket	Pressure decay
3. Isolate diesel tank or other fuel storage tank not in use from Stage II system	Pressure decay
4. Replace/repair <50% of total dispensers (e.g., 1 of 4 dispensers)	Pressure decay, dynamic back pressure/liquid blockage, (Air-to-Liquid Ratio for vacuum assist systems)
5. Replace/repair <50% of dispenser piping	Pressure decay, dynamic back pressure/liquid blockage
6. Replace/repair Healy central vacuum unit for Healy 400 ORVR nozzle system or Healy 600 nozzle System	Healy vapor return line test, Healy Fillneck Pressure (Healy 400 ORVR), Air-to-Liquid Ratio (Healy 600)
7. Replace/repair ball float extractor valve housing	Pressure decay
<u>Facilities Currently Exempt From Stage II Requirements</u> For gasoline dispensing facilities currently exempt from Stage II installation requirements (i.e., the facility was installed <u>prior to</u> 11/1/1989 and since 11/1/1989 has <u>not</u> been substantially modified <u>or</u> dispensed more than 10,000 gallons of gasoline in any one month) any modification or repair of the gasoline dispensing system identified below or the dispensing of more than 10,000 gallons of gasoline in any one month <u>will trigger the requirement to</u> (a) install a Stage II system, (b) perform and pass all applicable tests and (c) submit a fully completed Form A to DEP, prior to commencing system operation.	
1. Excavate below shear valve or tank pad to repair, replace or install vent piping and/or two-point or coaxial Stage I systems.	
2. Install, repair or replace tank and/or fuel distribution system.	

Attachment III

Revised Stage II Certification Forms

Form A: Installation/Substantial Modification Certification

(Form B: Not included, eliminated as a result of proposed amendments)

Form C: Annual In-Use Compliance Certification

Form D1: Alternative Annual In-Use Compliance Certification (No Testing Required)

Form D2: Alternative Annual In-Use Compliance Certification (Testing Required)

Revised Stage II Notification Forms

Form E: New Stage II System Owner, Operator, Lessee or Controller Notification

Form F: Stage II System Closure Notification

For Discussion Purposes Only



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form A

Installation/Substantial Modification Certification

A. Stage II System Documentation

1. Stage II System Location (please print):

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



Name of facility where the Stage II System is installed

Telephone number

Facility address

City/town

Zip code

2. Stage II System Responsible Official #1 (point of contact for Stage II related correspondence):

Name of Stage II System Responsible Official (please print)

Telephone number

Mailing address

City/town

State

Zip code

3. Stage II System Responsible Official #2 (fill out only if applicable):

Name of Stage II System Responsible Official (please print)

Telephone number

Mailing address

City/town

State

Zip code

4. Source of Authority for each Stage II System Responsible Official (RO), as applicable. **Please check only one box for each RO.**

If a Corporation, an official with authority to bind the Corporation:

	RO #1	RO #2		RO #1	RO #2
President	<input type="checkbox"/>	<input type="checkbox"/>	Vice President	<input type="checkbox"/>	<input type="checkbox"/>
Secretary	<input type="checkbox"/>	<input type="checkbox"/>	Other person who performs a similar policy-		
Treasurer	<input type="checkbox"/>	<input type="checkbox"/>	making or decision-making function of the		
			Corporation	<input type="checkbox"/>	<input type="checkbox"/>

If a Partnership, a general partner

☐ ☐

If a Sole Proprietorship, the proprietor

☐ ☐

If a municipality/public agency, a principal executive official
or ranking elected official with authority to enter into contracts
on behalf of municipality/public agency.

☐ ☐

5. Stage II System Annual Compliance Fee Billing Address (please print):

Name of person to whom annual compliance fee is billed

Telephone Number



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form A

Installation/Substantial Modification Certification

Name of company

Federal Employer ID# - FEIN

Facility address

City/town

State

Zip code

A. Stage II System Documentation (cont.)

6. Stage II Facility Information:

a. This form is submitted in response to (check one):

☐ The installation of a new Stage II system, where no Stage II system is currently installed.

☐ The substantial modification of a currently installed Stage II system.

b. For an installed Stage II system that has been substantially modified:

Is any of the Stage II system documentation submitted in A.1 – 5 of this form revised from the most recent Stage II system documentation submitted to DEP for this facility?

☐ Yes

☐ No

c. Stage II system Executive Order # of newly installed/substantially modified Stage II system:

d. Fuel dispensed to: ☐ private fleet only

☐ general public

e. How many gasoline storage tanks are associated with this Stage II System?

☐ One

☐ Two or more

f. Anticipated amount of gasoline dispensed annually (in gallons):

☐ Less than 120,000

☐ 120,000 to 240,000

☐ 240,001 to 500,000

☐ 500,001 to 1,000,000

☐ 1,000,000 to 2,000,000

☐ Greater than 2,000,000

Section B is to be completed by the Compliance Testing Company only.

B. Compliance Testing Company Certification

1. Name of Compliance Testing Company (please print)

2. DEP Stage II Compliance Testing Company ID #:

3. Installed Stage II System Executive Order #:

4. Prior to performing required compliance tests, did you confirm that all above ground Stage II system components are installed and are the correct components in accordance with the system's applicable Executive Order?

☐ Yes

☐ No

5. For Stage II Systems associated with two or more gasoline storage tanks, prior to performing required



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form A

Installation/Substantial Modification Certification

B. Compliance Testing Company Certification (cont.)

7. Date each required installation compliance test was performed and passed:

a. Pressure Decay test

b. Vapor Tie test

c. P/V Relief Vent test

d. Dynamic Back Pressure/Liquid Blockage test

e. Air/Liquid Volume Ratio Test

f. Healy Fillneck Pressure test

g. Healy Vapor Return Line test

I certify that, (a) I have personally examined the foregoing and am familiar with the information contained in Section B. and all attachments that pertain to Section B., and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; and (b) I am fully authorized to make this attestation on behalf of this Stage II Compliance Testing Company.

Printed name of Compliance Testing Co. Responsible
Official

Signature of Compliance Testing Co.
Responsible Official

Date

Section C is to
be completed by
Stage II System

C. Stage II Facility Compliance Certification



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form A

Installation/Substantial Modification Certification

Facility Operation, Maintenance and Record Keeping

1. Have you obtained and reviewed a copy of your Stage II system's Executive Order and DEP's Stage II Facility Training Manual to ensure correct operation and maintenance of your Stage II system?

☐ Yes

☐ No (If "No", see Directions For Completing Form E, Section C.)

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

2. Are the persons conducting required weekly visual inspections of the Stage II System trained to operate and maintain the Stage II system in accordance with the system's applicable Executive Order?

☐ Yes

☐ No

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

C. Stage II Facility Compliance Certification (cont.)

3. In response to incorrectly installed, non-functioning or broken (broken) Stage II components identified as a result of a weekly visual inspection or one or more failed Stage II Compliance Tests, are you in compliance with the requirements to:
- immediately repair the broken Stage II component; **or**, if the component can not be immediately repaired
 - immediately stop dispensing gasoline through the broken component, post "Out of Service" signs on it, and repaired it within 14 days; **or**, if the component can not be repaired within 14 days
 - immediately isolate the broken component from the remainder of the Stage II system so that the Stage II system is correctly operating and post "Out of Service" signs on the broken component until repaired; **or**, if the stage II system can not be isolated from the broken component so that the Stage II system is correctly operating
 - immediately stop **all** dispensing of gasoline at the facility and post "Out of Service" signs on **all** gasoline dispensers until the component is repaired, applicable tests performed and passed, and a fully completed Annual In-Use Compliance Certification submitted to the Department as required.

☐ Yes

☐ No

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

4. Are you in compliance with the requirements to maintain the following records on-site, in a centralized location:

- All weekly inspection checklists for the prior twelve-month period identifying incorrectly installed, non-functioning or broken components, actions taken to repair the Stage II system, and the date of repair.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form A

Installation/Substantial Modification Certification

I certify that, where I have indicated that I am the Stage II System Responsible Official, (a) I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; (b) systems¹ to maintain compliance are in place at the facility and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and, (c) I am fully authorized to make this attestation on behalf of the facility.

Printed name of Stage II System Responsible Official #1

Signature of Stage II System Responsible

Date

Printed name of Stage II System Responsible Official #2

Signature of Stage II System Responsible

Date

¹ For purposes of this statement, "systems to maintain compliance" means procedures that the Stage II facility owner and/or operator has established to ensure that weekly visual inspections and required tests are conducted, that broken or defective components are repaired, replaced or isolated and that required records are maintained.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form C

Annual In-Use Compliance Certification

A. Stage II System Documentation

1. Stage II System Location

«RO_Name»

Name of facility where the Stage II System is installed

«RO_Street»

Facility address

«RO_Town»

City/town

MA
State

«RO_ZIP»

Zip code

2. Stage II System Responsible Official #1 (point of contact for Stage II correspondence)

«RO_MailCnt»

Name of Stage II System Responsible Official

«RO_Phn»

Telephone number

«RO_MailAddr»

Mailing address

«RO_MailCity»

City/town

«RO_MailState»

«RO_MailZIP»

Zip code

3. Stage II System Responsible Official #2 (fill out only if applicable)

«DspOfficial2Cnt»

Name of Stage II System Responsible Official

«DspOfficial2Phone»

«DspOfficial2Addr»

Mailing address

«DspOfficial2City»

City/town

«DspOfficial2Sta
te»

«DspOfficial2ZIP»

4. Stage II Annual Compliance Fee Billing Address:

Name of person to whom annual compliance fee is billed

Telephone Number

Name of company

Mailing address

City/town

State

Zip code

5. Stage II System Executive Order#: «CARB_NumCode», «CARB_SysClass»,
«CARB_SysType»

6. DEP records show your facility to dispense _____ gallons of gasoline annually.

If this is **INCORRECT**, please check the box below identifying the correct amount of gasoline dispensed at your facility (gallons/annually):

☐ Less than 120,000

☐ 120,000 to 240,000

☐ 240,001 to 500,000

☐ 500,001 to 1,000,000

☐ 1,000,001 to 2,000,000

☐ Greater than 2,000,001

7. How many gasoline storage tanks are associated with this Stage II system?

☐ One

☐ Two or more

8. Is the pre-completed Stage II system documentation contained in A.1. – 5. correct?

☐ Yes

☐ No

If no, please print the correct information to the right on the same line or check the correct box.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form C

Annual In-Use Compliance Certification

B. In-Use Compliance Testing and Submittal Requirements

1. In-Use Compliance Tests Required to be Performed and Passed.

«TestsRequired»

2. Testing and Submittal Dates

For this Form to be submitted on time, the envelope used to mail it to DEP must be postmark-dated on or before «TestDueDate» **AND** all compliance tests must be performed and passed within the 30 days prior to the postmarked date on the envelope.

C. Compliance Testing Company Certification

To be completed by the Compliance Testing Company only

1. _____
Name of Compliance Testing Company (please print)
2. DEP Stage II Compliance Testing Company ID#: _____
3. Prior to performing required compliance tests, did you confirm that all above ground Stage II system components are installed and are the correct components in accordance with the system's applicable Executive Order?
☐ Yes ☐ No
4. Did you perform each compliance test in accordance with the applicable test procedure?
☐ Yes ☒ No
5. For each required compliance test, provide the:

	Date Test First Performed	Result of First Test (Pass/Fail)	Date Test Performed and Passed
a. Pressure Decay test	_____	_____	_____
b. Vapor Tie test	_____	_____	_____
c. P/V Relief Vent test	_____	_____	_____
d. Dynamic Back Pressure/ Liquid Blockage test	_____	_____	_____
e. Air/Liquid Volume Ratio test	_____	_____	_____
f. Healy Fill-neck Pressure test	_____	_____	_____
g. Healy Vapor Return Line test	_____	_____	_____

6. Were any compliance tests cited in 5. above performed and passed with one or more components isolated from the remainder of the Stage II system?
☐ Yes ☐ No

If yes, please identify the test and isolated component(s): _____

I certify that, (a) I have personally examined the foregoing and am familiar with the information contained in Section C. and all attachments pertaining to Section C., and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; and (b) I am fully authorized to make this attestation on behalf of this Stage II Compliance Testing Company.

Printed Name Of Compliance Testing Company
Responsible Official

Signature of Compliance Testing Company
Responsible Official

Date



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form C

Annual In-Use Compliance Certification

D. Stage II Facility Compliance Certification

To be completed by the Stage II System Responsible Official(s) only.

1. Stage II System Operation

- a. Have you operated and maintained the Stage II system in accordance with the system's applicable Executive Order?

☐ Yes ☐ No (if no, see D.4 below)

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

- b. Have you visually inspected the Stage II system on a weekly basis?

☐ Yes ☐ No (if no, see D.4 below)

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

- c. Are the persons conducting weekly visual inspections trained to operate and maintain the Stage II system in accordance with the system's applicable Executive Order?

☐ Yes ☐ No (if no, see D.4 below)

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

2. Stage II System Maintenance

- a. As a result of weekly visual inspections, did you find any Stage II system components incorrectly installed, non-functioning or broken (broken)?

☐ Yes ☐ No

If **YES**, did you:

- immediately repair the broken Stage II component; **or**, if the component could not be immediately repaired
- immediately stop dispensing gasoline through the broken component, post "Out of Service" signs on it, and repaired it within 14 days; **or**, if the component could not be repaired within 14 days
- immediately isolate the broken component from the remainder of the Stage II system so that the Stage II system is correctly operating and post "Out of Service" signs on the broken component until repaired; **or**, if the stage II system could not be isolated from the broken component so that the Stage II system is correctly operating
- immediately stop **all** dispensing of gasoline at the facility and post "Out of Service" signs on **all** gasoline dispensers until the component is repaired, applicable tests performed and passed, and a fully completed Annual In-Use Compliance Certification submitted to the Department as required.

☐ Yes ☐ No (if no, see D.4 below)

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form C

Annual In-Use Compliance Certification

2. Stage II System Maintenance (cont.)

b. Was one or more Annual In-Use Compliance test failed on the first try?

☐ Yes

☐ No

If **YES**, please check the appropriate box below identifying your response to the failed test(s), repairs made, and date repairs completed in order for the Stage II system to pass failed test(s).

Failed Test	Response To Failed Test (pick one, see details below)				Repairs And Date Repairs Completed In Order For The Stage II System To Pass Failed Test(s). (If additional space is needed, use D.4.)
	(1)	(2)	(3)	(4)	
i. Pressure Decay test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ii. Vapor Tie test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
iii. P/V Relief Vent test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
iv. Dynamic Back Pressure/ Liquid Blockage test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
v. Air/Liquid Volume Ratio test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
vi. Healy Fill-neck Pressure test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
vii. Healy Vapor Return Line test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

- (1) immediately repaired the incorrectly installed, non-functioning or broken (broken) Stage II component; **or**, if the component could not be immediately repaired
- (2) immediately stopped dispensing gasoline through the broken component, posted "Out of Service" signs on it, and repaired it within 14 days; **or**, if the component could not be repaired within 14 days
- (3) immediately isolated the broken component from the remainder of the Stage II system so that the Stage II system is correctly operating and posted "Out of Service" signs on the broken component until repaired; **or**, if the stage II system could not be isolated from the broken component so that the Stage II system is correctly operating
- (4) immediately stopped **all** dispensing of gasoline at the facility and posted "Out of Service" signs on **all** gasoline dispensers until the component is repaired, applicable tests performed and passed, and a fully completed Annual In-Use Compliance Certification submitted to the Department as required.

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

3. Stage II System Record Keeping

Are the following records maintained on-site, in a centralized location:

- a. All weekly inspection checklists for the prior twelve-month period identifying incorrectly installed, non-functioning or broken components, actions taken to repair the Stage II system, and the date of repair.
- b. A copy of Compliance Testing Company test results for all Stage II Compliance tests performed during the prior twelve-month period.
- c. A copy of the Stage II system's currently applicable DEP Stage II In-Use Compliance Certification.
- d. Record of all persons trained to perform weekly inspections of the Stage II System.

☐ Yes

☐ No (if no, see D.4 below)

4. Compliance Status and Actions to Ensure Future Compliance



Stage II Form C

For each question you answered "No" in D.1, 2 or 3 above, please explain:

- Please print. If more space is needed, please use additional pages as necessary.

I certify that **(a)** I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; **(b)** standards and procedures to maintain compliance are in place at the facility and will be maintained for the coming year even if the facility or operating procedures are changed over the course of the year; and, **(c)** I am fully authorized to make this attestation on behalf of the facility.

I certify that **(a)** I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; **(b)** systems to maintain compliance are in place at the facility and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and, **(c)** I am fully authorized to make this attestation on behalf of the facility.

Date _____

Date _____



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form D1

Alternative Annual In-Use Compliance Certification
(No In-Use Compliance Testing Required)

A. Stage II System Documentation

1. Stage II System Location

«RO_Name»

Name of facility where the Stage II System is installed

«RO_Street»

Facility address

«RO_Town»

City/town

MA
State

«RO_ZIP»

Zip code

2. Stage II System Responsible Official #1 (point of contact for Stage II correspondence)

«RO_MailCnt»

Name of Stage II System Responsible Official

«RO_Phn»

Telephone number

«RO_MailAddr»

Mailing address

«RO_MailCity»

City/town

«RO_MailState»

«RO_MailZIP»

Zip code

3. Stage II System Responsible Official #2 (fill out only if applicable)

«DspOfficial2Cnt»

Name of Stage II System Responsible Official

«DspOfficial2Phone»

«DspOfficial2Addr»

Mailing address

«DspOfficial2City»

City/town

«DspOfficial2Sta
te»

«DspOfficial2ZIP»

4. Stage II Annual Compliance Fee Billing Address:

Name of person to whom annual compliance fee is billed

Telephone Number

Name of company

Mailing address

City/town

State

Zip code

5. Stage II System Executive Order#: «CARB_NumCode», «CARB_SysClass»,
«CARB_SysType»

6. DEP records show your facility to dispense _____ gallons of gasoline annually.

If this is **INCORRECT**, please check the box below identifying the correct amount of gasoline dispensed at your facility (gallons/annually):

☐ Less than 120,000

☐ 120,000 to 240,000

☐ 240,001 to 500,000

☐ 500,001 to 1,000,000

☐ 1,000,001 to 2,000,000

☐ Greater than 2,000,001

8. How many gasoline storage tanks are associated with this Stage II system?

☐ One

☐ Two or more

8. Is the pre-completed Stage II system documentation contained in A.1. – 5. correct?

☐ Yes

☐ No

If no, please print the correct information to the right on the same line or check the correct box.



Stage II Form D1

Alternative Annual In-Use Compliance Certification
(No In-Use Compliance Testing Required)

B. In-Use Compliance Certification Submittal Requirements

For this Form to be submitted on time, the envelope used to mail it to DEP must be postmark-dated on or before «TestDueDate» **AND** all compliance tests must be performed and passed within the 30 days prior to the postmarked date on the envelope.

C. Stage II Facility Compliance Certification

To be completed by the Stage II System Responsible Official(s) only.

1. Stage II System Operation

- d. Have you operated and maintained the Stage II system in accordance with the system's applicable Executive Order?

☐ Yes ☐ No (if no, see C.4 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

- e. Have you visually inspected the Stage II system on a weekly basis?

☐ Yes ☐ No (if no, see C.4 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

- f. Are the persons conducting weekly visual inspections trained to operate and maintain the Stage II system in accordance with the system's applicable Executive Order?

☐ Yes ☐ No (if no, see C.4 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

2. Stage II System Maintenance

- b. As a result of weekly visual inspections, did you find any Stage II system components incorrectly installed, non-functioning or broken (broken)?

☐ Yes ☐ No

If **YES**, did you:

- i. immediately repair the broken Stage II component; **or**, if the component could not be immediately repaired

- ii. immediately stop dispensing gasoline through the broken component, post "Out of Service" signs on it, and repaired it within 14 days; **or**, if the component could not be repaired within 14 days

- iii. immediately isolate the broken component from the remainder of the Stage II system so that the Stage II system is correctly operating and post "Out of Service" signs on the broken component until repaired; **or**, if the stage II system could not be isolated from the broken component so that the Stage II system is correctly operating

- iv. immediately stop **all** dispensing of gasoline at the facility and post "Out of Service" signs on **all** gasoline dispensers until the component is repaired, applicable tests performed and passed, and a fully completed Annual In-Use Compliance Certification submitted to the Department as required.

☐ Yes ☐ No (if no, see C.4 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form D1

Alternative Annual In-Use Compliance Certification (No In-Use Compliance Testing Required)

3. Stage II System Record Keeping

Are the following records maintained on-site, in a centralized location:

- e. All weekly inspection checklists for the prior twelve-month period identifying incorrectly installed, non-functioning or broken components, actions taken to repair the Stage II system, and the date of repair.
- f. A copy of Compliance Testing Company test results for all Stage II Compliance tests performed during the prior twelve-month period.
- g. A copy of the Stage II system's currently applicable DEP Stage II In-Use Compliance Certification.
- h. Record of all persons trained to perform weekly inspections of the Stage II System.

☐ Yes

☐ No (if no, see C. 4 below)

4. Compliance Status and Actions to Ensure Future Compliance

For each question you answered "No" in C.1, 2 or 3 above, please explain:

- c. why you answered the question "No";
- d. the action(s) you took to correct the problem and date completed; and
- c. the action(s) you took to avoid the problem in the future.

Please print. If more space is needed, please use additional pages as necessary.

FOR DISCUSSION PURPOSES ONLY

I certify that **(a)** I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; **(b)** systems to maintain compliance are in place at the facility and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and, **(c)** I am fully authorized to make this attestation on behalf of the facility.

Printed name of Stage II System Responsible
Official #1

Signature of Stage II System Responsible
Official #1

Date

Printed name of Stage II System Responsible
Official #2

Signature of Stage II System Responsible
Official #2

Date



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form D2

Annual In-Use Compliance Certification
(In-Use Compliance Testing Required)

A. Stage II System Documentation

1. Stage II System Location

«RO_Name»

Name of facility where the Stage II System is installed

«RO_Street»

Facility address

«RO_Town»

City/town

MA
State

«RO_ZIP»

Zip code

2. Stage II System Responsible Official #1 (point of contact for Stage II correspondence)

«RO_MailCnt»

Name of Stage II System Responsible Official

«RO_Phn»

Telephone number

«RO_MailAddr»

Mailing address

«RO_MailCity»

City/town

«RO_MailState»

«RO_MailZIP»

Zip code

3. Stage II System Responsible Official #2 (fill out only if applicable)

«DspOfficial2Cnt»

Name of Stage II System Responsible Official

«DspOfficial2Phone»

«DspOfficial2Addr»

Mailing address

«DspOfficial2City»

City/town

«DspOfficial2Sta
te»

«DspOfficial2ZIP»

4. Stage II Annual Compliance Fee Billing Address:

Name of person to whom annual compliance fee is billed

Telephone Number

Name of company

Mailing address

City/town

State

Zip code

5. Stage II System Executive Order#: «CARB_NumCode», «CARB_SysClass»,
«CARB_SysType»

6. DEP records show your facility to dispense _____ gallons of gasoline annually.

If this is **INCORRECT**, please check the box below identifying the correct amount of gasoline dispensed at your facility (gallons/annually):

☐ Less than 120,000

☐ 120,000 to 240,000

☐ 240,001 to 500,000

☐ 500,001 to 1,000,000

☐ 1,000,001 to 2,000,000

☐ Greater than 2,000,001

9. How many gasoline storage tanks are associated with this Stage II system?

☐ One

☐ Two or more

8. Is the pre-completed Stage II system documentation contained in A.1. – 5. correct?

☐ Yes

☐ No

If no, please print the correct information to the right on the same line or check the correct box.



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form D2

Annual In-Use Compliance Certification
(In-Use Compliance Testing Required)

B. In-Use Compliance Testing and Submittal Requirements

1. In-Use Compliance Tests Required to be Performed and Passed.

«TestsRequired»

4. Testing and Submittal Dates

For this Form to be submitted on time, the envelope used to mail it to DEP must be postmark-dated on or before «TestDueDate» **AND** all compliance tests must be performed and passed within the 30 days prior to the postmarked date on the envelope.

C. Compliance Testing Company Certification

To be completed by the Compliance Testing Company only

1. _____
Name of Compliance Testing Company (please print)
2. DEP Stage II Compliance Testing Company ID#: _____
5. Prior to performing required compliance tests, did you confirm that all above ground Stage II system components are installed and are the correct components in accordance with the system's applicable Executive Order?

☐ Yes

☐ No

4. Did you perform each compliance test in accordance with the applicable test procedure?

☐ Yes

☐ No

5. For each required compliance test, provide the:

	Date Test First Performed	Result of First Test (Pass/Fail)	Date Test Performed and Passed
a. Pressure Decay test	_____	_____	_____
b. Vapor Tie test	_____	_____	_____
c. P/V Relief Vent test	_____	_____	_____
d. Dynamic Back Pressure/ Liquid Blockage test	_____	_____	_____
e. Air/Liquid Volume Ratio test	_____	_____	_____
f. Healy Fill-neck Pressure test	_____	_____	_____
g. Healy Vapor Return Line test	_____	_____	_____

6. Were any compliance tests cited in 5. above performed and passed with one or more components isolated from the remainder of the Stage II system?

☐ Yes

☐ No

If yes, please identify the test and isolated component(s): _____

I certify that, (a) I have personally examined the foregoing and am familiar with the information contained in Section C. and all attachments pertaining to Section C., and that based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; and (b) I am fully authorized to make this attestation on behalf of this Stage II Compliance Testing Company.

Printed Name Of Compliance Testing Company
Responsible Official

Signature of Compliance Testing Company
Responsible Official

Date



Stage II Form D2

Annual In-Use Compliance Certification
(In-Use Compliance Testing Required)

D. Stage II Facility Compliance Certification

To be completed by the Stage II System Responsible Official(s) only.

1. Stage II System Operation

- g. Have you operated and maintained the Stage II system in accordance with the system's applicable Executive Order?

☐ Yes ☐ No (if no, see D.4 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

- h. Have you visually inspected the Stage II system on a weekly basis?

☐ Yes ☐ No (if no, see D.4 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

- i. Are the persons conducting weekly visual inspections trained to operate and maintain the Stage II system in accordance with the system's applicable Executive Order?

☐ Yes ☐ No (if no, see D.4 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2

2. Stage II System Maintenance

- c. As a result of weekly visual inspections, did you find any Stage II system components incorrectly installed, non-functioning or broken (broken)?

☐ Yes ☐ No

If **YES**, did you:

- k. immediately repair the broken Stage II component; **or**, if the component could not be immediately repaired
- ii. immediately stop dispensing gasoline through the broken component, post "Out of Service" signs on it, and repaired it within 14 days; **or**, if the component could not be repaired within 14 days
- iii. immediately isolate the broken component from the remainder of the Stage II system so that the Stage II system is correctly operating and post "Out of Service" signs on the broken component until repaired; **or**, if the stage II system could not be isolated from the broken component so that the Stage II system is correctly operating
- iv. immediately stop **all** dispensing of gasoline at the facility and post "Out of Service" signs on **all** gasoline dispensers until the component is repaired, applicable tests performed and passed, and a fully completed Annual In-Use Compliance Certification submitted to the Department as required.

☐ Yes ☐ No (if no, see D.4 below)

Stage II System Responsible Official attesting to compliance status ☐ #1 ☐ #2



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Customer Code#:
«FacAccount»

Stage II Form D2

Annual In-Use Compliance Certification (In-Use Compliance Testing Required)

2. Stage II System Maintenance (cont.)

b. Was one or more Annual In-Use Compliance test failed on the first try?

☐ Yes

☐ No

If **YES**, please check the appropriate box below identifying your response to the failed test(s), repairs made, and date repairs completed in order for the Stage II System to pass the failed test(s).

Failed Test	Response To Failed Test (pick one, see details below)				Repairs And Date Repairs Completed In Order For The Stage II System To Pass Failed Test(s). (If additional space is needed, use D.4.)
	(1)	(2)	(3)	(4)	
i. Pressure Decay test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
ii. Vapor Tie test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
iii. P/V Relief Vent test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
iv. Dynamic Back Pressure/ Liquid Blockage test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
v. Air/Liquid Volume Ratio test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
vi. Healy Fill-neck Pressure test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	
vii. Healy Vapor Return Line test	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	

(3) immediately repaired the incorrectly installed, non-functioning or broken (broken) Stage II component; **or**, if the component could not be immediately repaired

(4) immediately stopped dispensing gasoline through the broken component, posted "Out of Service" signs on it, and repaired it within 14 days; **or**, if the component could not be repaired within 14 days

(3) immediately isolated the broken component from the remainder of the Stage II system so that the Stage II system is correctly operating and posted "Out of Service" signs on the broken component until repaired; **or**, if the stage II system could not be isolated from the broken component so that the Stage II system is correctly operating

(4) immediately stopped **all** dispensing of gasoline at the facility and posted "Out of Service" signs on **all** gasoline dispensers until the component is repaired, applicable tests performed and passed, and a fully completed Annual In-Use Compliance Certification submitted to the Department as required.

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

3. Stage II System Record Keeping

Are the following records maintained on-site, in a centralized location:

- All weekly inspection checklists for the prior twelve-month period identifying incorrectly installed, non-functioning or broken components, actions taken to repair the Stage II system, and the date of repair.
- A copy of Compliance Testing Company test results for all Stage II Compliance tests performed during the prior twelve-month period.
- A copy of the Stage II system's currently applicable DEP Stage II In-Use Compliance Certification.
- Record of all persons trained to perform weekly inspections of the Stage II System.

Stage II Form D2

Annual In-Use Compliance Certification (In-Use Compliance Testing Required)

4. Compliance Status and Actions to Ensure Future Compliance

For each question you answered “No” in D.1, 2 or 3 above, please explain:

- the action(s) you took to correct the problem and date completed; and
- the action(s) you took to avoid the problem in the future.

Please print. If more space is needed, please use additional pages as necessary.

DISCUSSION PURPOSES ONLY

I certify that **(a)** I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; **(b)** systems to maintain compliance are in place at the facility and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and, **(c)** I am fully authorized to make this attestation on behalf of the facility.

Printed name of Stage II System Responsible
Official #1

**Signature of Stage II System Responsible
Official #1**

Date _____

Printed name of Stage II System Responsible
Official #2

**Signature of Stage II System Responsible
Official #2**

Date _____



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form E

New Stage II System Owner, Operator, Lessee or
Controller Notification

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Stage II System Documentation Currently On Record with DEP

Name of the Stage II Responsible Official #1 currently on record in the Department's Stage II database (please print)

Name of the Stage II facility currently on record in the Department's Stage II database (please print)

Facility address

City/town

State

Zip code

Department Customer Code #

B. Revised Stage II System Documentation

1. Has the name the Stage II facility, on record in the Department's Stage II database, changed?

☐ Yes

☐ No

If yes, please complete the information below. If no, continue to B.2.

New name of facility where the Stage II System is installed (please print)

Facility address

City/town

State

Zip code

2. Has the name or address of Stage II System Responsible Official #1 or #2 on record in the Department's Stage II database changed?

☐ Yes

☐ No

If yes, please complete the information below, as applicable. If no, continue to B.4.

Stage II System Responsible Official #1 (point of contact for Stage II related correspondence):

Name of new Stage II System Responsible Official #1 (please print)

Telephone number

Mailing address

City/town

State

Zip code

Stage II System Responsible Official #2 (fill out only if applicable):

Name of new Stage II System Responsible Official #1 (please print)

Telephone number

Mailing address

City/town

State

Zip code



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form E

New Stage II System Owner, Operator, Lessee or
Controller Notification

B. Revised Stage II System Documentation (cont.)

3. Source of Authority for each Stage II System Responsible Official (RO), as applicable. **Please check only one box for each RO.**

If a Corporation, an official with authority to bind the Corporation:

	RO #1	RO #2		RO #1	RO #2
President	<input type="checkbox"/>	<input type="checkbox"/>	Vice President	<input type="checkbox"/>	<input type="checkbox"/>
Secretary	<input type="checkbox"/>	<input type="checkbox"/>	Other person who performs a similar policy-		
Treasurer	<input type="checkbox"/>	<input type="checkbox"/>	making or decision-making function of the		
			Corporation	<input type="checkbox"/>	<input type="checkbox"/>

If a Partnership, a general partner

☐ ☐

If a Sole Proprietorship, the proprietor

☐ ☐

If a municipality/public agency, a principal executive official
or ranking elected official with authority to enter into contracts
on behalf of municipality/public agency.

☐ ☐

**Important: Please provide the effective date each new
Responsible Official assumed his/her responsibilities, as
applicable.**

RO #1: ____ / ____ / ____

RO #2: ____ / ____ / ____

4. Stage II Annual Compliance Fee Billing Address

Has the person, name of the company or the address on record in
the Department's Stage II database as paying the Stage II Annual
Compliance Fee, changed?

☐ Yes

☐ No

If yes, please complete the information below. If no, continue to Section C.

Stage II Annual Compliance Fee Billing Address:

Name of person to whom compliance fee shall be billed (please print)

Telephone Number

Name of new company

Federal Employer ID # - FEIN

Mailing address

City/town

State

Zip code

**Important: Please provide the effective date the new company
assumed responsibility for paying the Stage II Annual Compliance
Fee.**

____ / ____ / ____



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form E

New Stage II System Owner, Operator, Lessee or
Controller Notification

Section C is to
be completed by
New Stage II
System
Responsible
Official(s) only.

C. Stage II Facility Compliance Certification

Facility Operation, Maintenance and Record Keeping

3. Have you obtained and reviewed a copy of your Stage II system's Executive Order and DEP's Stage II Facility Training Manual to ensure correct operation and maintenance of your Stage II system?

☐ Yes

☐ No (If "No", see Directions For Completing Form E, Section C.)

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

4. Are the persons conducting required weekly visual inspections of the Stage II System trained to operate and maintain the Stage II system in accordance with the system's applicable Executive Order?

☐ Yes

☐ No

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

3. In response to incorrectly installed, non-functioning or broken (broken) Stage II components identified as a result of a weekly visual inspection or failed Stage II Compliance Test, are you in compliance with the requirements to:

i. immediately repair the broken Stage II component; or, if the component can not be immediately repaired

ii. immediately stop dispensing gasoline through the broken component, post "Out of Service" signs on it, and repaired it within 14 days; or, if the component can not be repaired within 14 days

iii. immediately isolate the broken component from the remainder of the Stage II system so that the Stage II system is correctly operating and post "Out of Service" signs on the broken component until repaired; or, if the stage II system can not be isolated from the broken component so that the Stage II system is correctly operating

iv. immediately stop all dispensing of gasoline at the facility and post "Out of Service" signs on all gasoline dispensers until the component is repaired, applicable tests performed and passed, and a fully completed Annual In-Use Compliance Certification submitted to the Department as required.

☐ Yes

☐ No

Stage II System Responsible Official attesting to compliance status

☐ #1

☐ #2

4. Are you in compliance with the requirements to maintain the following records on-site, in a centralized location:

i. All weekly inspection checklists for the prior twelve-month period identifying incorrectly installed, non-functioning or broken components, actions taken to repair the Stage II system, and the date of repair.

ii. A copy of Compliance Testing Company test results for all Stage II Compliance tests performed during the prior twelve-month period.

iii. A copy of the Stage II system's currently applicable DEP Stage II In-Use Compliance Certification.

iv. Record of all persons trained to perform weekly inspections of the Stage II System.

☐ Yes

☐ No



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form E

New Stage II System Owner, Operator, Lessee or
Controller Notification

I certify that, where I have indicated that I am the Stage II System Responsible Official, **(a)** I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; **(b)** systems² to maintain compliance are in place at the facility and will be maintained for the coming year even if the processes or operating procedures are changed over the course of the year; and, **(c)** I am fully authorized to make this attestation on behalf of the facility.

Printed Name of Stage II System Responsible Official #1

Signature of Stage II System Responsible Official #1

Date

Printed Name of Stage II System Responsible Official #2

Signature of Stage II System Responsible Official #2

Date

¹ For purposes of this statement, "systems to maintain compliance" means procedures that the Stage II facility owner and/ or operator has established to ensure that weekly visual inspections and required tests are conducted, that broken or defective components are repaired, replaced or isolated and that required records are maintained.

FOR DISCUSSION ONLY



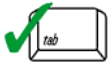
Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form F

Stage II System Closure Notification

Important:

When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



A. Stage II System Documentation

1. Stage II Facility Name (please print):

Name of facility where Stage II system installed

Facility address

City/town

State

Zip code

Department Customer Code #

2. Stage II System Responsible Official #1 (point of contact for Stage II related correspondence):

Name of Stage II System Responsible Official #1 (please print)

Telephone number

Mailing address

City/town

State

Zip code

3. Stage II System Responsible Official #2 (fill out only if applicable):

Name of Stage II System Responsible Official #1 (please print)

Telephone number

Mailing address

City/town

State

Zip code

4. Stage II System Taken Out of Use Status

i. Is the Stage II system permanently out of service?

☐ Yes

☐ No

ii. Is the Stage II system temporarily out of service?

☐ Yes

☐ No

5. Is a fully completed and signed FP-290 Form, issued by the local Fire Department, documenting the subject Stage II system is permanently or temporarily out of service attached to this Notification?

☐ Yes

☐ No

Please note. For Stage II compliance purposes, the effective date a Stage II system is permanently or temporarily taken out of service is the date referenced in the required FP-290 Form.

Stage II System Responsible Official attesting to Stage II system
Out of Service status

☐ #1

☐ #2

B. Future Property Use

1. Will the property referenced in this Notification be used for another business or commercial operations (for example, auto repair, carwash, convenience store, etc.)?

☐ Yes

☐ No

If yes, please identify:



Massachusetts Department of Environmental Protection
Bureau of Waste Prevention – Stage II Vapor Recovery Program

Stage II Form F

Stage II System Closure Notification

2. If you answered Yes to Question B.1., has the referenced property been sold or leased to a new property owner/operator? ☐ Yes ☐ No

If Yes, please provide the following new property owner/operator information:

Name of New Property Owner/Operator (please print)

Telephone number

Address

City/town

State

Zip code

3. What is the effective date the new property owner/operator took control of the referenced property? _____ / _____ / _____

C. Compliance Certification

I certify that, where I have indicated that I am the Stage II System Responsible Official, **(a)** I have personally examined the foregoing and am familiar with the information contained in this document and all attachments and that, based on my inquiry of those individuals immediately responsible for obtaining the information, I believe that the information is true, accurate and complete. I am aware that there are significant penalties for submitting false information, including possible fines and imprisonment; and **(b)** I am fully authorized to make this attestation on behalf of the facility.

Printed name of Stage II System Responsible Official #1

Signature of Stage II System Responsible Official #1

Date

Printed name of Stage II System Responsible Official #2

Signature of Stage II System Responsible Official #2

Date